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Implementation of the outcomes of the United Nations Conferences on Human Settlements and on Housing and Sustainable Urban Development and strengthening of the United Nations Human Settlements Programme (UN-Habitat)

Summary of the high-level meeting on the effective implementation of the New Urban Agenda and the positioning of UN-Habitat in this regard

Note by the President of the General Assembly

I. Introduction

1. In accordance with paragraph 173 of the New Urban Agenda (General Assembly resolution 71/256), the President of the General Assembly convened a two-day high-level meeting of the Assembly at United Nations Headquarters on 5 and 6 September 2017 to discuss the effective implementation of the New Urban Agenda and the positioning of the United Nations Human Settlements Programme (UN-Habitat) in this regard.

2. The meeting brought together representatives from national and local governments, including 6 ministers and vice-ministers and 13 mayors from around the world. A significant number of Executive Directors and Deputy Executive Directors of United Nations entities participated and spoke at the meeting. Representatives of civil society and the private sector also actively participated.

3. The meeting consisted of an opening segment, four interactive panel discussions, one plenary debate and a closing session. During the plenary debate, the participants considered best practices, success stories and recommendations contained in the report of the High-level Independent Panel to Assess and Enhance the Effectiveness of UN-Habitat.

4. The meeting included four interactive panel discussions on the following themes:

> *Panel 1*: The positioning of UN-Habitat in the effective implementation of the New Urban Agenda: the normative and operational mandate of UN-Habitat and its work with governments and stakeholders

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Panel 2: The positioning of UN-Habitat in the effective implementation of the New Urban Agenda: the governance structure and financial capability of UN-Habitat

Panel 3: Implementing the New Urban Agenda and the Sustainable Development Goals: the role of the United Nations system

Panel 4: Implementing the New Urban Agenda and the Sustainable Development Goals: the role of multi-stakeholder collaboration

5. The participants had before them a note by the Secretary-General on the report of the High-level Independent Panel to Assess and Enhance the Effectiveness of UN-Habitat (A/71/1006).

II. Opening segment

6. On 5 September, the President of the General Assembly opened the high-level meeting. During the opening segment, statements were also made by the Deputy Secretary-General and the Executive Director of UN-Habitat.

7. The President of the General Assembly welcomed the participants and noted the importance of the discussions over the two days, given the unprecedented rate of urbanization and its attendant challenges. He welcomed the adoption of the New Urban Agenda and said that, in order to effectively implement the Agenda, the international community should seize the opportunities presented by urbanization, strengthen partnerships, raise awareness of the New Urban Agenda and the 2030 Agenda and ensure that the United Nations system, in particular UN-Habitat, was strongly positioned to support their implementation.

8. The Deputy Secretary-General thanked the High-level Independent Panel for its recommendations and said the Secretary-General had taken note of the recommendations and would develop a concrete strategy to ensure that UN-Habitat was fit for purpose. She emphasized the importance of cities in achieving sustainable urban development and stated that, in this context, UN-Habitat must play a leading role in ensuring that urban expertise was strong across all the United Nations entities, and stressed the need for coherence and collaboration in United Nations urban work. She expressed support for the Panel's recommendation that the UN-Habitat regional offices be better aligned with the regional commissions and that UN-Habitat must focus both on leaving no one behind and on a territorial approach. While recognizing that the United Nations was currently not fit for the purpose, she emphasized the need for the United Nations to lead on urban issues and for UN-Habitat to take a leading role in the United Nations system. In conclusion, she expressed her expectation that the meeting would lead to concrete recommendations and consensus towards a new pathway for sustainable urbanization and that the United Nations system and UN-Habitat would successfully lead the implementation of the New Urban Agenda.

9. The Executive Director of UN-Habitat thanked the members of the Panel for their work and deemed their report useful in strengthening UN-Habitat. He noted that the meeting was an occasion for consensus among the stakeholders and stressed the need for political commitment and technical and professional expertise in order to implement the New Urban Agenda. He said that UN-Habitat had already undergone reform resulting in a more focused, leaner and strategic programme that should better serve constituencies around the world and emphasized the need for increased financial stability in order to strengthen UN-Habitat. He said that a strengthened UN-Habitat would contribute to addressing the challenges of twenty-first century urbanization and development.

Introduction of the assessment by the High-level Independent Panel to Assess and Enhance the Effectiveness of UN-Habitat

10. The Secretary of Agrarian, Territorial and Urban Development of Mexico and Co-Chair of the Panel, Rosario Robles, explained the methodology used by the Panel in its assessment and noted the Secretary-General's request that the Panel be bold, transformative and reform-minded. She reiterated that the Panel's first recommendation was that UN-Habitat should be saved, stabilized and strengthened and that it should expand its normative work with a focus on "leaving no one behind". She emphasized that UN-Habitat should strengthen advocacy of urban issues, address informality and strengthen partnership building.

11. The President of United Cities and Local Governments, President of the South African Local Government Association and Co-Chair of the Panel, Mpho Parks Tau, commended his fellow Co-Chair and Panel members for their dedication and commitment. He noted the Panel's recommendation to set up a multi-agency coordinating mechanism, UN-Urban, which would complement the work of UN-Habitat, and the formalization of the role of local governments in UN-Habitat through the proposed Committee of Local Governments and the Committee of Stakeholders.

12. Both Co-Chairs stressed the need to shift to a territorial approach and to avoid the oversimplification of the rural/urban dichotomy. They stated that UN-Habitat had a significant role to play in promoting a sustainable urban agenda. They also spoke of the case for universality and greater participation at the local level.

III. Plenary debate

13. On 5 and 6 September, a plenary debate was held to discuss best practices, success stories and the recommendations contained in the report of the High-level Independent Panel. During the plenary debate, statements were made by the representatives of the following Member States and groups: Czechia, Ecuador (on behalf of the Group of 77 and China), South Africa, Barbados, Dominican Republic, Poland, Djibouti (on behalf of the Group of African States), Maldives (on behalf of the Alliance of Small Island States), El Salvador (on behalf of the Community of Latin American and Caribbean States), European Union, United States of America, Russian Federation, Singapore, Japan, Germany, India, China, Slovakia, Italy, Kenya, Argentina, Guatemala, Mexico, Cabo Verde, France, Albania, Colombia, Ethiopia, Philippines, Ecuador, Brazil, Spain, Uganda, Thailand, Syrian Arab Republic, Afghanistan, Zambia, Nepal, Republic of Korea, Togo, Serbia, Egypt, Senegal, Norway, Nigeria, Canada and Finland. Statements were also made by the observer for the Holy See, the International Committee of the Red Cross (ICRC), the International Federation of Red Cross and Red Crescent Societies (IFRC), University College London, the Advisory Group on Gender Issues, the International Real Estate Federation, the Avina Foundation, the International Society of City and Regional Planners, the children and youth major group, and representatives of local governments, including the mayors of Des Moines, United States, Soria, Spain, and Penang, Malaysia, and the representative of the Office of the Mayor of Montreal, Canada.

A. General comments

14. The participants welcomed the New Urban Agenda and noted the renewed commitment of Member States to supporting its full implementation, follow-up and

review. They also stressed the need to increase synergies and linkages among the New Urban Agenda, the 2030 Agenda, the Paris Agreement, the Addis Ababa Action Agenda and the Sendai Framework.

15. The participants appreciated the work of UN-Habitat to date and agreed on the need to save, stabilize and rapidly strengthen UN-Habitat. However, participants emphasized the increasing need for stronger governance, better financial management, higher efficiency, more transparency and enhanced accountability of UN-Habitat so that it could be fit for purpose to facilitate the effective implementation of the New Urban Agenda.

16. The participants commended the High-level Independent Panel for its hard work, especially in the light of the short time frame given to it, and some participants welcomed the Panel's report as a sound basis from which to improve the functioning of UN-Habitat. The participants also thanked the Panel for identifying the critical challenges that affect the accountability, efficiency and effectiveness of UN-Habitat. Among the recommendations that were welcomed were the conceptual shift to a more territorial approach and the strengthening of the organization's ties with cities and local governments.

17. With regard to the remaining recommendations of the Panel, many participants were of the view that given the limited time available to the Panel, some recommendations warranted further discussion, including the proposed establishment of UN-Urban, the Policy Board, the Committee of Local Governments and the Committee of Stakeholders, as well as those proposals that could create a dichotomy between the normative and the operational work of UN-Habitat. The lack of clarity on the funding implications of some recommendations was also highlighted.

18. Some participants were of the view that the Panel had not been afforded sufficient time to comprehensively assess all aspects of paragraphs 172 and 173 of the New Urban Agenda and the implications of its recommendations. Participants thus advised caution in taking decisions on the basis of the report until the implications thereof had been fully understood, with the full participation and concurrence of Member States.

19. One representative expressed her concern arising from the low turnout at the meeting to discuss the Panel's report, especially at the ministerial level. She added that it was troubling that the recommendations of the Panel were to be discussed, but not the irregularities in and shortcomings of UN-Habitat that the Panel had found. Others were concerned by the lack of data that informed the Panel's report, citing the insufficient number of respondents, responses, sites visited and literature consulted. Another representative was of the view that the Panel had made recommendations beyond its remit, particularly in proposing the creation of additional bodies.

20. One representative noted that the reform of UN-Habitat should be evolutionary, not revolutionary, and that the focus should be on improving the work of existing structures, rather than creating parallel platforms and organizations. He recommended focusing on developing the accountability of UN-Habitat; another suggested that a comprehensive audit of the agency be conducted in a couple of years.

21. One representative stressed the importance of setting UN-Habitat on the best possible course and said that the focus should be on how best to guide it. She noted that the Panel had, overall, made good suggestions but that some of those ran counter to the organization's proposed reforms. She asked the Secretariat to provide

clarity on the agency's tasks and roles and emphasized the enormity of the task of implementing the New Urban Agenda.

22. A delegation stated that the Panel reflected the intensifying risks created by climate change and natural disasters to small island developing States and suggested that those concerns be addressed.

B. UN-Urban

23. The recommendations relating to the creation of UN-Urban gave rise to much discussion. The representatives posed questions with regard to the budget and oversight of the proposed UN-Urban and expressed their reservations with regard to its creation, noting that it would lead to the centralization, rather than the decentralization, of functions in New York, which was not consistent with efforts to ensure that the United Nations was fit for purpose in the implementation of the 2030 Agenda. They believed that the establishment of UN-Urban would weaken UN-Habitat and create confusion and overlap between its role and that of UN-Habitat. They stressed that the institutional, normative and operational capacity of UN-Habitat should be used as the starting point for any such coordination mechanism. Some participants indicated that such a coordination mechanism would not be necessary if all United Nations system organizations were aligned in the implementation of the New Urban Agenda. One representative suggested that UN-Urban, if found to be feasible, should thus be co-located, if not merged, with UN-Habitat.

24. Representatives felt that UN-Urban was not analogous to UN-Water, because the latter had been created in the absence of an entity for the preservation and sustainable use of water resources within the United Nations system, whereas an entity on urbanization was already in place, namely, UN-Habitat. Another delegation pointed out that UN-Water was not a good example to follow, since it had been described as an ineffective mechanism. It was also noted that the proposed creation of UN-Cities at Habitat III, which was a similar idea to UN-Urban, had already been raised and rejected by Member States.

25. Instead of creating UN-Urban, some representatives proposed that existing mechanisms, such as the New York office of UN-Habitat be strengthened, and that the office could fulfil a coordinating function between UN-Habitat and United Nations entities. One representative proposed that the United Nations Development Group or the United Nations System Chief Executives Board for Coordination could be tapped as a forum for coordination on sustainable urbanization. One speaker suggested that, rather than creating new entities, the focus should be on establishing clear, well-defined guidelines on coordination among United Nations entities, especially during crisis situations.

26. Nevertheless, participants all agreed on the need to strengthen coordination and coherence across the United Nations system and other development partners in implementing the New Urban Agenda.

C. Governance of UN-Habitat

27. With regard to the governance structure proposed by the Panel, the participants indicated that more reflection was needed. Several representatives were of the view that the proposed governance structure was complicated, inefficient and expensive and that it did not contribute to the strengthening of UN-Habitat.

28. The proposal to introduce universal membership for UN-Habitat through the creation of an Urban Assembly was viewed positively by some Member States. It was thought that the measure would increase the organization's effectiveness and efficiency, as well as lead to more open, participatory and transparent proceedings. However, some speakers were of the view that it would have negative consequences, such as higher costs and more bureaucracy, among others. Still, others suggested that the participation of the current members of the Governing Council should first be ensured before universal membership could be discussed. Several representatives added that the Governing Council should be strengthened, with some noting the absence of recommendations to increase the frequency of meetings of the Governing Council from the Panel's report, and others suggesting that a major forum be held on an annual basis. Other representatives supported the proposal for greater involvement on the part of local authorities and other stakeholders in the governance of the organization. One speaker, although supporting the idea of creating an Urban Assembly with universal membership, did not agree that the Assembly should meet in Nairobi and New York, suggesting instead that it should meet only in Nairobi.

29. Another view was expressed that the Governing Council should be strengthened and the proposed creation of the Policy Board should be analysed in greater detail. Some delegations welcomed the proposal to establish a Policy Board, while others were against it. Several participants requested clarity on the relationships between the proposed bodies, and the advantages and disadvantages of the proposed elements, including universal membership, the Policy Board and the Committee of Permanent Representatives. They would welcome assurance of the consistency of the proposed changes with the overall reform of the United Nations development system. Some representatives suggested that one option to consider was to establish an effective steering mechanism with a leaner organizational structure, such as an Executive Board or Board of Directors similar to those of other funds and programmes. One delegation expressed the view that, while the effectiveness of UN-Habitat and its accountability to Member States should be enhanced, an increase in bureaucracy should be avoided.

30. Some delegations welcomed the recommendation of the Panel to ensure a stronger UN-Habitat staff presence, especially of senior-level staff, in New York to improve coordination and build closer relationships with the United Nations entities located there. One delegation was, however, unclear as to how that measure would in fact enhance coordination. One delegation did not support the proposal to reinforce the staff of UN-Habitat in New York or Nairobi, given the financial challenges that UN-Habitat faced.

31. One speaker supported the proposal to relocate the UN-Habitat regional offices to cities in which regional economic commissions were located. Some speakers, however, could not see the benefits thereof and requested that the proposal receive further consideration. One delegate stressed the need to strengthen the collaboration between the country and liaison offices of UN-Habitat and other regional offices of United Nations entities. One speaker proposed setting up a regional office of UN-Habitat in the region of the Balkans.

32. One speaker stated that the future of UN-Habitat depended on good leadership and called upon the Secretary-General and Member States to contribute to the process of finding the most qualified person to lead the organization in January 2018.

D. Mandate of UN-Habitat

33. The Panel's recommendations relating to the normative and operational work of UN-Habitat, including the proposed cap on earmarked funding that went to operational work, were met with mixed views. Some representatives welcomed the emphasis on renewing the commitment of UN-Habitat to its normative mission and noted that decreased contributions had caused the agency to concentrate on operational work financed by earmarked contributions. Some representatives agreed with the proposal to limit the funding earmarked for operational work and, beyond that, advocated greater transparency on the part of Member States with regard to the use of such funding.

34. However, other representatives stressed that operational activities were a vital part of the overall UN-Habitat mandate, in the sense that its normative functions could be fulfilled only with a clear understanding of the realities on the ground. They were of the view that the operational work of UN-Habitat was important in identifying and preparing context-specific solutions to matters related to human settlements and that a cap on earmarked funding that went to operational work would thus not be ideal.

35. One delegation believed that to restrict the organization to normative work would drastically reduce its ability to respond to needs at the national and local levels. Therefore, UN-Habitat should focus on both normative and operational work in response to national demand. Another delegation suggested that, rather than the proposed cap, a more strategic and programmatic approach to the management of projects under earmarked funds should be taken to maximize their normative value and contributions.

36. One speaker supported the recommendation that the primary focus of UN-Habitat should be on urban planning and design, national urban policies, informality and exclusion. Another speaker stressed that housing, land, slum upgrading and municipal finance should not be left out. Given that many local governments in developing countries were in dire need of revenue at the local and national levels, it was prudent to allow UN-Habitat to continue to work on municipal finance as part of the urban economy.

37. Participants also identified the following tasks that should form part of the organization's mandate: follow-up and review of the implementation of the New Urban Agenda; inter-agency coordination; knowledge generation and dissemination; advocacy and capacity-building; and data collection and analysis.

E. UN-Habitat financial capacity and partnerships

38. Speakers agreed that the lack of stable and predictable funding of UN-Habitat was an obstacle to the organization's fulfilment of its mandate. The representatives agreed that an urgent financial rescue package from the United Nations regular budget was needed to save, stabilize and rapidly strengthen UN-Habitat. They also agreed that Member States needed to work on ensuring the sustainability and predictability of their voluntary contributions to UN-Habitat and increasing allocations to UN-Habitat from the United Nations budget. However, while participants agreed on the need for innovative funding sources, increased regular funding and voluntary contributions, they were wary of any increased burden on developing countries and asked the Panel for more information in that regard.

39. Support was voiced for the Panel's call to increase the funding of the organization. One delegation suggested that enlarging the donor base could be

examined with a view to mobilizing resources and, in that regard, welcomed the Panel's recommendation to establish a strategic financing plan. It also suggested examining how to involve State and non-State actors, including the private sector and local collectives, without undermining the central role of Governments. Another delegation welcomed the recommendation to explore new funding modalities to secure contributions from Member States, noting, in that regard, the establishment of the Group of Friends of Sustainable Development Goals Finance, which sought to unlock new sources of financing. One representative supported establishing a group of Member States to develop proposals for the funding of the core UN-Habitat requirements prior to the consideration of the General Assembly resolution on strengthening UN-Habitat.

40. The growing sentiment that UN-Habitat must gain the increased confidence of Member States, and that changes in that direction must be fully aligned and consistent with the wider effort to reform the whole United Nations development system was echoed by some delegations. It was stressed, in that context, that UN-Habitat must be able to articulate its comparative advantage in relation to other United Nations entities and offer concrete visions of how to collaborate with those entities. UN-Habitat should redouble its internal reform efforts to increase efficiency and transparency by improving documentation, reporting and project approval and management processes.

41. One speaker believed that there was no need to create a Global Trust Fund, which in her view would fragment the UN-Habitat structure.

42. One speaker stressed that, in the light of the dire need for financial resources of small island developing States, it was important that official development assistance commitments be fully met and made available to strengthen UN-Habitat and other entities.

43. The speakers welcomed the recommendations to strengthen the relationships of UN-Habitat with local governments, civil society and the private sector, as well as with other United Nations entities. However, one speaker stressed the need to further discuss the recommendation on creating the Committee of Stakeholders.

F. Best practices and success stories

44. Several Member States shared best practices, success stories and the challenges faced in their countries in relation to the implementation of the New Urban Agenda. Many noted the adoption of urban plans, strategies, policies and legislation as part of their implementation efforts. One delegation drew attention to the threat posed by terrorism to urban development, which should be monitored by UN-Habitat. Another delegation cited poverty, investment gaps and weak technical capacity as the major challenges faced by its country in implementing the New Urban Agenda. It stressed that silo and one-size-fits-all approaches could only harm the country's already poor urban infrastructure and services.

45. Other speakers said that they were already working towards the vision of the New Urban Agenda, as reflected in their adoption of region- and country-specific urban agendas and related legislation. With a view to jointly promoting sustainable urban development with global partners, they suggested addressing urban inequality, while focusing on the specific needs of persons and groups in marginalized and vulnerable situations. Underlining that a significant change to policymaking within and for urban areas was required, they called for a renewed commitment to strengthening the capacity of subnational and local governments in all aspects of governance.

46. Several representatives emphasized that sustainable urban development was an important element of the 2030 Agenda and identified the need to plan the size and layout of cities, as well as to improve infrastructure. Participants also stressed the need for a human rights-based approach, including the right to development and a gender perspective, to the implementation of the New Urban Agenda.

G. Observers and stakeholders

47. The observer for the Holy See stressed that many challenges facing the family could be exacerbated in the context of the metropolis and that in the implementation of the New Urban Agenda, every effort should be exerted to ensure that families enjoyed their fundamental rights. He said that there was a need to create and protect community spaces, visual landmarks and urban landscapes that facilitated in the urban dwellers a sense of belonging within a city.

48. A representative of ICRC welcomed the Panel's recognition of the increasingly urban nature of armed conflict and the profound effect that the destruction of civilian infrastructure had on a city's development agenda and on the provision of basic services. The New Urban Agenda must support contemporary urban planning and provision of services which were adapted to armed conflicts and crises, and reduce the effects of forced displacement in urban contexts.

49. A representative of IFRC welcomed the Panel's acknowledgement of the complex interlinkages between poverty, inequality, exclusion and the urbanization of disasters and crises. IFRC also welcomed the Panel's suggestion that the links between development and humanitarian work deserved increased attention, stressing that local authorities and communities must be at the centre of efforts to prevent, mitigate, respond to and recover from exceptional or everyday shocks and stresses.

50. Representatives of local authorities highlighted that local governments were essential to supporting the implementation of the New Urban Agenda and the 2030 Agenda. The Mayor of Soria stressed the need to mainstream the efforts of the United Nations to ensure that the Sustainable Development Goals could be achieved. The Mayor of Des Moines invited the Secretary-General to include in his reform proposals a chapter dedicated to the engagement of stakeholders in the United Nations. The Mayor of Penang called for not only greater clout to be given to local governments but also the transfer of power to extend to citizens. She also underlined the need to embrace gender mainstreaming in local government. The representative of the Office of the Mayor of Montreal, Canada, emphasized the importance of integrating the New Urban Agenda into the agenda of the United Nations in a cross-cutting way, and of building partnerships among national Governments, local authorities and cities in implementing the New Urban Agenda.

51. A representative of the Coordinator of the Advisory Group on Gender Issues underscored the need to listen to women's voices and to meaningfully include them in the implementation of the New Urban Agenda and the 2030 Agenda. However, this also needed to extend to the lesbian, gay, bisexual and transgender community and to migrants, refugees, older persons and indigenous peoples.

52. A representative of the International Real Estate Federation highlighted the City Prosperity Initiative, which had been developed by UN-Habitat to monitor the implementation of the New Urban Agenda at the local level, as a very useful tool. She was convinced that businesses and industries would prove to be essential partners in defining initiatives and providing solid positive results, as well as in marketing the sustainable development strategy, thereby increasing funding.

53. A representative of University College London said that urban science was in need of capacity-building and suggested the establishment of a mechanism for science-policy interaction.

54. A representative of the Avina Foundation said that the New Urban Agenda provided a unique opportunity to promote more integrated engagement of philanthropic agencies in the urban development process. Foundations had the capacity to develop innovative models for piloting solutions, to share best practices and to advocate better public policies. Coordination efforts needed to be strengthened and linked with funding mechanisms, building on the experience of other financing methods within the United Nations system.

55. A representative of the International Society of City and Regional Planners said that human settlement and urban development professionals advocated a new global urban deal and new alliances for cities. While recognizing the value of the city prosperity index, they also emphasized the role of building with human and social capital for the implementation of the 2030 Agenda. They called for the World Urban Forum to become a global arena for urban development stakeholders.

56. A representative of the children and youth major group proposed the creation of an inter-agency task team on sustainable urban development, co-chaired by UN-Habitat and the Department of Economic and Social Affairs of the Secretariat, to bring United Nations entities together to avoid silos and enhance effectiveness. She expressed serious concerns about the composition of the Committee of Stakeholders, noting that simply making reference to stakeholders did not guarantee an institutional space and rights-based participation. UN-Habitat should facilitate a framework to regulate and monitor the impact of the private sector on human rights, environmental protection and social progress.

IV. Panel discussions

Panel 1: The positioning of UN-Habitat in the effective implementation of the New Urban Agenda: the normative and operational mandate of UN-Habitat and its work with governments and stakeholders

57. The first interactive panel focused on the normative and operational mandate of UN-Habitat and its work with governments and stakeholders. The discussion was moderated by the Executive Vice-President and Managing Director of the World Resources Institute, Manish Bapna. The panel was composed of the following members of the High-level Independent Panel: the Co-Chair of the Panel, Rosario Robles; the former Permanent Representative of Slovakia to the United Nations, František Ružička; and Ponsto S.M. Sekatle, Member of Parliament for Qacha's Nek Constituency of Lesotho.

58. One of the panellists elaborated on the proposed shift to a territorial approach raised in the report of the Panel. She noted that the territorial approach pertained to the whole of the "territory" and not only to urban or rural areas, adding that such an approach involved various levels of governance.

59. The panel noted the importance of the normative work of UN-Habitat, and of linking the normative and operational aspects. It was pointed out that normative work should drive the organization's activities, and that norms and standards, in turn, came out of lessons learned from the organization's operational work. It was thus important to improve the quality of both aspects.

60. One panellist added that the organization's mandate needed to be expanded to take into account the growth of metropolitan areas. She stressed that UN-Habitat must change from being reactionary to being proactive and that UN-Habitat must be ready with proposals regarding the implementation of the New Urban Agenda and Sustainable Development Goal 11. However, that did not mean neglecting the operational aspect of its work.

61. Another panellist said that the New Urban Agenda would address the problems of urbanization, including congestion and slums in urban areas. The Panel was of the view, however, that UN-Habitat could not be the sole focal point of the Agenda. Given the Agenda's transversal nature, it needed to be integrated into the work of the United Nations system. In view of the support provided by UN-Habitat to Member States, United Nations agencies and other stakeholders through guidance and tools in this field, the Panel saw UN-Habitat as playing a leadership role in urban planning, decentralization and governance, in particular in addressing the needs of vulnerable groups in urban areas and informality.

62. During the interactive discussion, the representatives of the following Member States raised questions and made comments: Mexico, United States of America, India and Russian Federation.

63. One representative commended the Panel for the proposed shift to a metropolitan approach, one that could lead the discussion at the local and other levels in implementing the sustainable development agenda. He also commended the Panel for the cross-cutting nature of its work, which broke silos. In response, one panellist said that, while no silos had yet been broken, the Panel would continue to encourage horizontal communication within and between United Nations system organizations.

64. A representative expressed her country's agreement with much of the report but requested clarification on the specific tasks, roles and responsibilities of UN-Habitat, adding that the implementation of the New Urban Agenda was too big a task for any single entity. She added that the agency's operational and normative work should be clearly linked and recommended that it continue its successful work in bringing together national and local governments and civil society.

65. A participant said that the normative and operational work of UN-Habitat should be complementary and synergistic. He also said that the increasing diversity in cities should be captured, incorporated into future policy and shared with other countries. He acknowledged the need for a territorial approach.

66. A representative expressed his country's agreement with the conclusion of the Panel on the need for local authorities to have greater responsibility. He said, however, that it was not clear how that objective would be achieved, emphasizing that UN-Habitat should work with representatives of national authorities. Its task, he said, was to create favourable conditions for the implementation of the New Urban Agenda. In response, one panellist said that the decision to allocate resources and authority to local governments depended on each country. The United Nations sought to be inclusive and to work with other stakeholders. UN-Habitat, for its part, worked with States at the national level and, informally, with local governments. She added that coordination at the local level should be part of the formal structure, given that legislation and planning were conducted at that level.

67. Questions were raised by representatives of civil society on the tools and resources for providing normative guidance to States, on how UN-Habitat could facilitate the empowerment of local governments in implementing the New Urban Agenda and on how the relationship between States and local governments could be developed to that end.

68. One panellist said that local governments should be empowered, and emphasized the need for mechanisms for their participation in the United Nations system, as well as for greater citizen participation.

69. Another panellist said that the Panel had been guided by the role of UN-Habitat as an intergovernmental organization, as well as by inclusivity and diversity. While the Panel respected the role of national Governments, a platform for the active participation and sharing of experiences of local authorities and cities needed to be created. The normative approach was not "one size fits all", he said, but rather needed to take diversity into consideration.

Panel 2: The positioning of UN-Habitat in the effective implementation of the New Urban Agenda: the governance structure and financial capability of UN-Habitat

70. The second interactive panel focused on the governance structure and financial capability of UN-Habitat. The discussion was moderated by Manish Bapna. The panel was composed of the following members of the High-level Independent Panel: the Co-Chair of the Panel Mpho Parks Tau; the Permanent Representative of Indonesia to the United Nations, Dian Triansyah Djani; architect, urban designer and planner and founding member of the Congress for New Urbanism, Peter Calthorpe; and the Founder and Director of the Society for Promotion of Area Resource Centres, Sheela Patel.

71. The members of the panel explained how the High-level Independent Panel had sought to create a governance structure of UN-Habitat that would enhance the New Urban Agenda. One panellist noted that, contrary to some criticisms made following the issuance of the report, the proposed structure was not overly complex. Rather, it provided a very simple line from the General Assembly to the Policy Board, the addition of which had been recommended to ensure the integration of all interested parties into the activities of UN-Habitat. The Committee of Permanent Representatives remained in place, enabling Member States to interact directly with the organization.

72. The panellists highlighted the Panel's proposal to introduce universal membership for UN-Habitat, which, they explained, would enhance transparency and communication. It would also promote a sense of ownership and belonging among countries, which would, it was hoped, lead to an increase in contributions. One panellist noted that the introduction of universal membership in the United Nations Environment Programme (UNEP) had led to an increase in earmarked contributions.

73. During the interactive discussion, the representatives of the following Member States raised questions and made comments: United States of America, Colombia, Russia Federation, Finland, Botswana and Ethiopia.

74. One representative was of the view that universal membership would further dilute, rather than strengthen, the organization. She asked whether the increase in contributions for UNEP actually correlated with the introduction of universal membership. Another representative, while expressing support for the Programme's universalization, noted that the shift to universal membership in UNEP had revealed a number of challenges.

75. Regarding the creation of UN-Urban, a representative was of the view that the existing structure of UN-Habitat should be improved instead of creating parallel governance structures. Another representative, who was also of the view that the creation of a new coordinating structure might not be the best way forward,

suggested that a comparative analysis be conducted to identify ways to strengthen inter-agency coordination within existing structures. A delegation requested clarification with regard to the relationship envisaged between UN-Urban and the Department of Economic and Social Affairs and asked whether the panel had considered the example of the Environment Management Group under UNEP. A delegation asked the reason, if the purpose was to enhance coordination, for the proposal to establish UN-Urban in New York rather than in Nairobi.

76. The panellists explained that UN-Urban was intended not as a competitor or replacement entity but as a coordinator; UN-Habitat would remain as the primary operational entity. An entity located in New York would be able to coordinate quickly and easily with other United Nations entities, given that most of them had a presence in New York.

77. In the light of the dire need for resources and the limited funding available, one panellist noted that UN-Habitat needed to attract continued voluntary contributions. Increasing the transparency and predictability of the organization could increase the confidence of its stakeholders. The High-level Independent Panel had therefore proposed a cap on the amount of core funds spent on staffing and other administrative costs and recommended that a limit be set for the earmarked funding from Member States that went to operational work.

78. One panellist noted that urbanism could offer some of the most cost-effective means of solving multiple problems, as one strategy could address many issues. If that could be made clear, people would be willing to invest. Financing and consensus were vital to change, and consensus came about when many different actors saw an advantage for their interests. With universal membership and a coordinating entity such as UN-Urban, funding could be drawn not only from Member States but also from foundations around the world.

79. Another panellist stressed the need to have a better understanding of the challenges and complexity created by urbanization at present, which would help to reduce future costs. She highlighted the potential to produce new forms of large investments with the involvement of many people, noting that the United Nations had the opportunity to introduce protocols by which consensus could be reached in that regard.

Panel 3: Implementing the New Urban Agenda and the Sustainable Development Goals: the role of the United Nations system

80. The third interactive panel focused on the role of the United Nations system in implementing the New Urban Agenda and the Sustainable Development Goals. The discussion was moderated by the Executive Director of Policy, United Nations Foundation, Min Thu Pham. The panel was composed of: the Executive Director of the United Nations Office for Project Services (UNOPS), Grete Faremo; the Assistant Secretary-General for Policy Coordination and Inter-Agency Affairs in the Department of Economic and Social Affairs, Thomas Gass; the Assistant Administrator and Director of the Bureau for Policy and Programme Support, United Nations Development Programme (UNDP), Magdy Martínez-Soliman; the Deputy Executive Director of UN-Habitat, Aisa Dacyira; the Senior Vice President for the 2030 Development Agenda, United Nations Relations and Partnerships, World Bank Group, Mahmoud Mohieldin; and the Deputy Director of the New York office of the Office of the United Nations High Commissioner for Refugees (UNHCR), Grainne O'Hara.

81. The panel members began by outlining the individual roles of their organizations in the implementation of the New Urban Agenda and the Sustainable Development Goals. UNDP contributed to local development and governance by working to increase the capacities of local administrations to deliver services, promote a vibrant local economy, generate jobs and ensure legitimate local elections. The Department of Economic and Social Affairs provided analytics, statistics and projections on urbanization and played an important role in supporting Member States in the 2030 Agenda intergovernmental review process. The World Bank Group focused on identifying financing gaps, developing policy frameworks and providing adequate data, technical assistance and capacity-building. The role of UNOPS was to build infrastructure by engaging local contractors and labour. UNHCR had a role to play in the development aspects of the New Urban Agenda, in particular to respond to the new realities of displacement. Together with the World Bank and UNDP, UN-Habitat was developing a trust fund to support the financing of urbanization.

82. One panellist said that urbanization should be considered as a tool to achieve the Sustainable Development Goals and that the New Urban Agenda was a tool for achieving inclusive, safe and sustainable development. The United Nations should not only save lives but also sow the seeds to enable humanitarian response to safely transition to development initiatives, which required a coordinated approach across agencies. Objective analytical and technical expertise should be shared with Member States to identify problems in cities and how best to deal with them, while policies should be put in place to unleash the potential of cities.

83. It was noted that decisions on infrastructure had long-term ramifications. Solid infrastructure was essential to growth and resilience, and investment therein, although it might initially be expensive, would make lifelong costs lower and ensure less loss of life. In the light of protracted refugee situations, development strategies needed to be employed at the beginning of a crisis.

84. With regard to cooperation and coordination, one panellist recommended that the United Nations system look to cities and urban settlements for inspiration on how to work in an interconnected way and implement commitments at the local level. Another panellist stressed that the issue of municipal finances must be dealt with correctly, noting that the World Bank Group had identified 19 possible revenue sources for municipalities, although only 2 were typically used. The importance of public procurement in extending sustainable development was also emphasized. One panellist encouraged engagement with the private sector to be further explored, especially given that many private investors had made a strong commitment to a sustainable future.

85. A representative of the International Organization for Migration stressed that the New Urban Agenda recognized migrants and refugees as part of the city and treated them all as rights holders regardless of their migratory status. A representative of the World Food Programme (WFP) said that WFP was to launch a new urban policy designed to strengthen partnerships. A representative of the United Nations Office on Drugs and Crime (UNODC) noted that UNODC, together with UN-Habitat and the Government of Canada, had recently organized an expert group meeting to address the issues of corruption, justice, urban crime and security in cities. A representative of the United Nations Entity for Gender Equality and the Empowerment of Women called for bold gender mainstreaming efforts at the national and local levels in the implementation of the 2030 Agenda and the New Urban Agenda.

86. One delegate cited the Integrated Urban Development Framework, which brought together local governments and the government agencies responsible for

transport, water and urban planning, as a positive example of coordination in her country. She asked why the relevant agencies of the United Nations system, such as UNEP and the Department of Economic and Social Affairs, were not similarly present in a coordinated fashion on the ground.

87. The moderator asked the panel members whether the current model for United Nations country teams was fit for purpose in terms of achieving the New Urban Agenda and the 2030 Agenda and how best to strengthen synergies across the United Nations system.

88. Several panellists noted the need to define a common objective to improve coordination and to engage directly with local actors to find solutions. One panellist warned against insisting on one rigid governance mechanism. Another panellist was of the view that the United Nations should demonstrate greater transparency and accountability in its coordination efforts and that it should improve its role as an adviser to Member States. Another view was expressed that bringing cities and urban settlements to the centre of the United Nations agenda must form the purpose of the coordination mechanism to be established at the global level. One panellist noted that the New Urban Agenda clarified the roles of national and local governments, whereby national urban policies must support urban planning at the city level and local governments must be able to negotiate strategically with national Governments.

Panel 4: Implementing the New Urban Agenda and the Sustainable Development Goals: the role of multi-stakeholder collaboration

89. The fourth interactive panel focused on the role of multi-stakeholder collaboration in implementing the New Urban Agenda and the Sustainable Development Goals. The discussion was moderated by the Chef de Cabinet of the Office of the President of the General Assembly, Tomas Anker Christensen. The panel was composed of the following representatives of local government and stakeholders: the Mayor of Madrid, Manuela Carmena; the President of the General Assembly of Partners, Eugenie Birch; the Director of the Indian Institute for Human Settlements, Aromar Revi; the Cities Sector Global Leader of PricewaterhouseCoopers and member of the Global Future Council on Cities of the World Economic Forum, Hazem Galal; the Senior Vice-President of Marketing, Communications and Public Affairs of the Rockwool Group, Mirella Vitale; and the Executive Director of the Citizen Association for Human Rights of Argentina, María José Lubertino.

90. The panellists began by stating the importance of stakeholder participation and collaboration in the implementation of the New Urban Agenda and the Sustainable Development Goals. They added that partnerships could contribute substantially to setting policy and finding solutions with a view to sustainable urbanization.

91. They noted the centrality of implementation and the challenges thereto, with one panellist calling it a "trillion-dollar agenda". He added that implementation would rest on citizens, enterprises and local and national governments. UN-Habitat was no longer the only organization implementing Sustainable Development Goal 11, among others; what was required was integrated implementation at the local level with the power of national Governments. This required a new way of working for the United Nations, as well as new fiscal arrangements. With regard to public-private partnerships, another panellist added that the private sector should be involved earlier in the planning process. Several panellists spoke of the need to leverage the efficiency and knowledge of the private sector, and another panellist noted the role of mayors as representatives of citizens who spoke on their behalf.

92. In the ensuing discussion, several representatives noted the importance of incorporating a gender perspective into urbanization and of women's participation in associations to ensure that gender-related concerns were brought to the fore. They stressed that the participation of women and civil society was vital.

93. A representative of local government was of the view that the local population also needed to be a partner in the implementation of the New Urban Agenda.

94. Another representative of civil society recognized the role of persons with disabilities as not only recipients of services but also significant contributors to the implementation of the Agenda and the Sustainable Development Goals. He added that this was an opportune time to transform the mindset and promote inclusion. In response, one panellist spoke of the change in infrastructure and mentality regarding accessibility for persons with disabilities in Sochi, Russian Federation, and Rio de Janeiro, Brazil, in preparation for the Olympic Games. He said, however, that a major event was not necessary for such a change, adding that accessibility should be designed at the outset.

95. During the interactive discussion, the representatives of the following Member States raised questions and made comments: Singapore, Qatar, Philippines and Dominican Republic.

96. A representative described the partnership between his country and UN-Habitat to implement capacity development programmes in other countries, with a view to the achievement of Sustainable Development Goal 11.

97. Another representative described the challenges experienced by his country in implementing the New Urban Agenda and spoke of the activities of the Red Crescent Society in his country, an organization that worked directly with communities.

98. A participant described his country's experience during Typhoon Haiyan, which showed the need for collaboration between national and local governments.

99. A delegation spoke about the "culture of the city" and the "right to the city", asking how they were to be integrated in planning processes. One panellist responded that those concepts were not yet included in the legal architecture and that UN-Habitat played a crucial role in that regard.

100. A representative of civil society stressed that young people should be included in discussions and asked how they were being trained to become agents of change.

101. In response to the questions and comments, the panellists noted that all voices underlined the necessity of multi-stakeholder platforms, breaking down silos and bringing people together so that their interests were represented. One panellist said that, in the United Nations context, reform of UN-Habitat was needed, as was reform of the United Nations development system. While acknowledging the importance of partnerships between multiple levels of government, he raised the question of sharing capacities and finances and political representation.

102. One panellist said that it was important for the United Nations to create a space for dialogue and exchange, a mechanism that allowed all stakeholders to work together. Nevertheless, the existing mechanisms were still relevant, she said, citing the example of international human rights treaties and the need for States to ratify them.

V. Closing segment

103. In his closing remarks, the President of the General Assembly said that it was clear from the discussions that Member States were united in ensuring an effective and efficient contribution from UN-Habitat and the overall United Nations system to the advancement of sustainable urbanization. It was also clear, however, that a number of the recommendations contained in the Panel's report would require further discussion and consideration. Noting that the second year of the Sustainable Development Goals was nearing its end and that Member States and stakeholders required the support of the United Nations in their implementation efforts, he encouraged everyone to proceed in a spirit of inclusiveness and universality of purpose and to work together to generate the consensus required to keep the momentum going.

VI. Side events

104. Two side events were organized on the margins of the meeting. The President of the General Assembly hosted a lunch discussion for mayors from around the world, with a focus on the role of cities in the implementation of the 2030 Agenda and the New Urban Agenda.

105. The Global Task Force of Local and Regional Governments and the General Assembly of Partners organized a stakeholder consultation on the report of the High-level Independent Panel.

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United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law

Report of the Secretary-General

Summary

The present report is submitted pursuant to General Assembly resolution 71/139. It covers the implementation of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law in 2017, as well as guidelines and recommendations for the implementation of the Programme for the biennium 2018-2019 and the related administrative and financial implications.

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I. Introduction

1. By its resolution 71/139, the General Assembly authorized the Secretary-General to carry out, in 2017, the activities specified in his report on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law (A/71/432), submitted to the Assembly at its seventy-first session. In paragraph 27 of the resolution, the Assembly requested the Secretary-General to report at its seventy-second session on the implementation of the Programme in 2017 and, following consultations with the Advisory Committee on the Programme of Assistance, to submit recommendations regarding the Programme in subsequent years.

2. The present report provides information concerning the implementation of the Programme of Assistance in 2017, as well as the activities planned for the biennium 2018-2019 and the related administrative and financial implications.

II. Implementation of the Programme of Assistance during 2017

3. The Codification Division of the Office of Legal Affairs of the Secretariat is responsible for the implementation of the Programme of Assistance.[1] The Division performs various functions, such as preparing reports of the Secretary-General and providing services to the Advisory Committee and the Sixth Committee on the related agenda item. It also maintains the website of the Programme.

A. International Law Fellowship Programme

4. The International Law Fellowship Programme provides comprehensive training by highly qualified international law scholars and practitioners from different regions and legal systems for lawyers from developing countries and countries with emerging economies, under the Programme of Assistance.[2] The fellows attend the Public International Law session at The Hague Academy of International Law and seminars organized by the Codification Division on a broad range of core subjects of international law. Study visits are also arranged for the participants.

5. The International Law Fellowship Programme was held in The Hague from 26 June to 4 August 2017. A total of 21 fellows (7 men and 14 women) were selected for the Programme,[3] which was conducted in English.

6. The Hague Academy lectures consisted of (in chronological order): "How the law operates in the international legal order: doing something and having something done" (inaugural lecture) (J. Combacau, Emeritus Professor, University of Paris II

[1] For information on other activities of the Office of Legal Affairs, see documents A/72/10, A/72/17 and A/72/74 and the Treaty Section website (https://treaties.un.org).

[2] Since 2010, as a necessary cost-saving measure to increase the number of fellowships provided through the regular budget, the Fellowship Programme in The Hague has been conducted by the Codification Division (see A/65/514, para. 12).

[3] More than 450 applications were received from 104 Member States for 21 fellowships (including 149 from Africa, 110 from Asia-Pacific, 28 from Eastern Europe and 154 from Latin America and the Caribbean). The fellowship participants were from the following Member States: Afghanistan, Albania, Argentina, Bosnia and Herzegovina, Botswana, Brazil, China, Cuba, Egypt, Fiji, Guyana, Iraq, Kenya, Lesotho, Maldives, Nepal, Paraguay, Sierra Leone, Trinidad and Tobago, the United Republic of Tanzania and Zambia. The participants included lawyers working for various government offices (ministries of foreign affairs and justice, as well as parliaments) and academic institutions.

Panthéon-Assas); "Establishing norms in a kaleidoscopic world" (general course) (E. Brown Weiss, Professor, Georgetown University, Washington, D.C.); "The international protection of vulnerable persons under international human rights law" (S. Perrakis, Emeritus Professor, Panteion University, Athens); "Treaties and their practice" (G. Nolte, Professor, Humboldt University, Berlin, and member, International Law Commission); "The system of reparations in the jurisprudence of the Inter-American Court of Human Rights" (F. Novak, Professor, Pontifical Catholic University of Peru); "Economic sanctions decided and implemented outside the United Nations" (J.-M. Thouvenin, Professor, University of Paris Nanterre); "Compensation for environmental damage and depletion of natural resources: the practice of the United Nations Compensation Commission" (M. Kazazi, former Executive Head, United Nations Compensation Commission); and "'Acts of the State' in the law of responsibility: a reassessment" (A. Kanehara, Professor, Sophia University, Tokyo).

7. The seminars organized by the Codification Division consisted of (in chronological order): "Introduction to international law" (M. Kohen, Professor, Graduate Institute of International and Development Studies, Geneva); "Treaty law" (S. Villalpando, Chief, Treaty Section, Office of Legal Affairs); "International peace and security" and "The work of the International Law Commission" (H. Hassouna, member, International Law Commission, and former Permanent Observer for the League of Arab States to the United Nations); "International human rights law" (H. Duffy, Professor, University of Leiden); "International criminal law" and "International humanitarian law" (K. Riordan, Chief Judge, Court Martial of New Zealand, Judge Advocate General, Armed Forces of New Zealand, and Lecturer, Victoria University of Wellington); "State responsibility" (P. Bodeau-Livinec, Professor, University of Paris Nanterre); "Movement of persons" (F. Messineo, Legal Officer, Codification Division, Office of Legal Affairs); "International environmental law" and "International organizations" (L. Boisson de Chazournes, Professor, University of Geneva); "Law of the sea" (S. Trevisanut, Associate Professor of international law, University of Utrecht); "Research in international law" (Christiane Ahlborn, Associate Legal Officer, Codification Division); "International trade law" (M. M. Mbengue, Professor, University of Geneva); and "International investment law" and "Peaceful settlement of international disputes" (C. Giorgetti, Professor, University of Richmond School of Law).

8. Study visits with briefings by senior officials were arranged for the participants at the International Court of Justice, the International Criminal Court and the Permanent Court of Arbitration. The participants also had the opportunity to attend hearings at the International Court of Justice and at the International Criminal Court.

B. United Nations Regional Courses in International Law

9. The United Nations Regional Courses in International Law provide training by highly qualified international law scholars and practitioners on a broad range of core subjects of international law and specific subjects of particular interest to the countries in a given region.[4] The courses provide an important mechanism for expanding the international law training opportunities available to lawyers from

[4] Since 2011, the Codification Division has conducted the Regional Courses in International Law as a necessary cost-saving measure to increase the number of fellowships and better meet the increasing demand for international law training. All administrative, financial and practical arrangements, such as travel and accommodations, were previously entrusted to the United Nations Institute for Training and Research, which required funding for its Professional and General Service staff members who performed those services over a period of approximately six months for each Regional Course.

developing countries, given the limited number of participants who can be accommodated in the International Law Fellowship Programme. The courses also provide participants with an opportunity to focus on contemporary issues of international law of common interest to the region, with a view to promoting greater understanding and cooperation on such issues.

1. Africa

10. The Regional Course in International Law for Africa was held at the Economic Commission for Africa (ECA), in Addis Ababa, from 6 February to 3 March 2017. The course was conducted in English. A total of 30 participants (15 men and 15 women) attended the course, with 20 fellowship participants and 10 self-funded participants.[5]

11. The seminars for the Regional Course consisted of (in chronological order): "International peace and security" (D. Tladi, Professor, University of Pretoria, and member, International Law Commission); "Introduction to international law" (C. Greenwood, Judge, International Court of Justice); "International environmental law" (L. Boisson de Chazournes, Director, Department of International Law and International Organizations, University of Geneva); "Law of treaties" and "State responsibility" (S. Villalpando, Chief, Treaty Section, Office of Legal Affairs); "International trade law" (M. M. Mbengue, Professor, University of Geneva); "The work of the International Law Commission" and "Democracy and Good Governance in Africa" (C. Maina Peter, Professor, University of Dar es Salaam, and member, International Law Commission), "International investment law" (J. Donoghue, Judge, International Court of Justice); "The importance of international law for Africa in the twenty-first century" and "The International Court of Justice and Africa" (A. Yusuf, Vice-President, International Court of Justice); "Law of natural resources management" (A. Kilangi, Professor, St. Augustine University of Tanzania); "Law of the sea" (S. Murphy, Professor, George Washington University Law School, and member, International Law Commission), "International humanitarian law" and "International criminal law" (K. Riordan, Chief Judge, Court Martial of New Zealand, Judge Advocate General, Armed Forces of New Zealand, and Lecturer, Victoria University of Wellington); "International human rights law" (F. Viljoen, Director, Centre for Human Rights, Faculty of Law, University of Pretoria); and "Peaceful settlement of international disputes" (B. Daly, Deputy Secretary-General and Principal Legal Counsel, Permanent Court of Arbitration). The participants also attended a briefing at the African Union on aspects of international law training and capacity-building in Africa.

2. Asia-Pacific

12. The Regional Course in International Law for Asia-Pacific is scheduled to be held at the Economic and Social Commission for Asia and the Pacific (ESCAP), in Bangkok, from 20 November to 15 December 2017. The course will be conducted in English.[6]

[5] More than 250 applications were received from 43 Member States. The participants were from the following Member States: Algeria, Burkina Faso, Burundi, Cameroon, the Democratic Republic of the Congo, Egypt, Ethiopia, the Gambia, Ghana, Kenya, Lesotho, Liberia, Namibia, Nigeria, Rwanda, Sierra Leone, South Africa, South Sudan, the Sudan, Swaziland, the United Republic of Tanzania and Zimbabwe. The participants included lawyers working for various government offices (including ministries of foreign affairs and justice, as well as offices of attorneys general and presidents), regional organizations (including the African Union) and academic institutions.

[6] A total of 109 applications were received from 32 Member States. The selected participants are from the following Member States: Afghanistan, Bangladesh, Bhutan, China, Fiji, India, Indonesia, the Islamic Republic of Iran, Kyrgyzstan, the Lao People's Democratic Republic, Maldives, Myanmar, Nepal, Oman, Pakistan, the Philippines, Qatar, Samoa, Sri Lanka, Thailand, Timor-Leste, Uzbekistan, and Yemen. The selected participants included lawyers working for various government offices and academic institutions.

13. According to the planned curriculum as of the date of the present report, the following seminars will be given during the Regional Course (in chronological order): "Introduction to international law" (A. Pellet, Emeritus Professor, Université Paris Nanterre, and former member, International Law Commission); "International peace and security" and "The work of the International Law Commission" (D. Tladi, Professor, University of Pretoria, and member, International Law Commission); "International law and Asia-Pacific" (S. Chesterman, Dean and Professor, Faculty of Law, National University of Singapore); "International human rights law" (lecturer to be determined); "International humanitarian law" and "International criminal law" (K. Riordan, Chief Judge, Court Martial of New Zealand, Judge Advocate General, Armed Forces of New Zealand, and Lecturer, Victoria University of Wellington); "Peaceful settlement of international disputes" (Sir M. Wood, Senior Fellow, Lauterpacht Centre, University of Cambridge, and member, International Law Commission); "Law of treaties" and "State responsibility" (S. Villalpando, Chief, Treaty Section, Office of Legal Affairs); "International environmental law" (H. Desai, Professor and Chairman, Centre for International Legal Studies, Jawaharlal Nehru University); "International trade law" and "International investment law" (M. M. Mbengue, Professor, University of Geneva); and "Law of the sea" (N. Oral, Professor, Faculty of Law, Istanbul Bilgi University, and member, International Law Commission).

3. Latin America and the Caribbean

14. The Regional Course in International Law for Latin America and the Caribbean was held at the Economic Commission for Latin America and the Caribbean (ECLAC), in Santiago, from 24 April to 19 May 2017. The course was conducted in English and Spanish. A total of 23 participants (6 men and 17 women) attended the course, with 20 fellowship participants and 3 self-funded participants.[7]

15. The seminars for the Regional Course consisted of (in chronological order): "Introduction to international law" (J. Viñuales, Professor and Director, Cambridge Centre for Environment, Energy and Natural Resources Governance, University of Cambridge); "International humanitarian law" and "International Criminal Law" (K. Riordan, Chief Judge, Court Martial of New Zealand, Judge Advocate General, Armed Forces of New Zealand, and Lecturer, Victoria University of Wellington); "International peace and security" (D. Tladi, Professor, University of Pretoria, and member, International Law Commission); "International human rights law" (M. Pinto, Dean, School of Law, University of Buenos Aires); "Law of the sea" (T. Treves, Professor, University of Milan, and former Judge, International Tribunal for the Law of the Sea); "Law and institutions of the Economic Commission for Latin America and the Caribbean" (L. Yáñez, Officer-in-Charge, Secretary of the Commission, ECLAC); "The regional agreement on access to information, public participation and access to justice in environmental matters in Latin America and the Caribbean" (C. de Miguel, Head, Policies for Sustainable Development Unit, Sustainable Development and Human Settlements Division, ECLAC); "International environmental law" (D. Bodansky, Professor, Arizona State University); "Law of treaties" and "State responsibility" (S. Villalpando, Chief, Treaty Section, Office of Legal Affairs); "Law-making at the United Nations" (D. Stewart, Associate Legal Officer, Codification Division, Office of Legal Affairs); "International trade law"

[7] A total of 104 applications were received from 23 Member States. The participants were from the following Member States: Argentina, Brazil, Chile, Colombia, Cuba, Ecuador, El Salvador, Guyana, Honduras, Jamaica, Mexico, Paraguay, Peru, Saint Vincent and the Grenadines, Trinidad and Tobago, Uruguay and the Bolivarian Republic of Venezuela. The participants included lawyers working for various government offices (including ministries of foreign affairs and justice, as well as offices of attorneys general and presidents) and academic institutions.

(F. Morosini, Professor, Federal University of Rio Grande do Sul, Porto Alegre); and "International investment law" and "Peaceful settlement of international disputes" (C. Giorgetti, Professor, University of Richmond School of Law).

4. Venues for the United Nations Regional Courses in International Law

16. Following the increase in the demand for international law training, the Codification Division has sought to identify recurring venues for the Regional Courses in International Law in order to facilitate the organization of the courses on a regular basis in Africa, Asia-Pacific and Latin America and the Caribbean. Such venues would provide enhanced efficiency, cost savings and greater certainty with respect to the Regional Courses, without precluding the possibility of holding such a course at another location.

17. The Regional Course in International Law for Africa was successfully conducted annually in Ethiopia from 2011 to 2017. ECA provided significant in-kind contributions, including the training venue, office space for United Nations staff and lecturers, dining facilities, equipment and administrative and operational support.

18. The Regional Course in International Law for Asia-Pacific was successfully conducted in Thailand in 1986, 2005, 2012 and 2016. ESCAP provided assistance in the organization of the Regional Course, which will be conducted, for the first time, at ESCAP, in Bangkok, in late 2017. ESCAP will provide significant in-kind contributions, including the training venue, office space for United Nations staff and lecturers, dining facilities, equipment and administrative and operational support.

19. In 2017, the Regional Course in International Law for Latin America and the Caribbean was conducted at ECLAC, in Santiago. ECLAC provided significant in-kind contributions, including the training venue, office space for United Nations staff and lecturers, dining facilities, equipment and administrative and operational support.

C. United Nations Audiovisual Library of International Law

20. Traditional training courses offer unique advantages in terms of promoting in-depth discussions, interaction and cooperation among participants. In response to the increasing demand for international law training that could not be met solely by its traditional training courses, the Codification Division created the United Nations Audiovisual Library of International Law in 2008. The Library gives the United Nations the capacity to provide, at a relatively low cost, high-quality training to an unlimited number of individuals and institutions around the world, free of charge through the Internet.

21. The Audiovisual Library is a virtual training and research centre with more than 400 leading international law scholars, judges and practitioners from different countries and legal systems who contribute to its three pillars: the Lecture Series, the Historic Archives and the Research Library. The Lecture Series contains nearly 500 lectures, accompanied by lists of related materials linking to reference documents available online. The Series contains individual lectures on a broad range of specific topics of international law and several series of lectures on core topics of international law. The series of lectures and related legal materials are intended to provide a more comprehensive educational resource for academic institutions and government training centres in developing countries. During the period under review, 54 lectures were recorded for the Lecture Series. In order to promote a broader geographical and linguistic representation of the recorded lectures and to record lecturers who are unable to travel to New York, the

Codification Division undertakes off-site recording sessions in various locations. Of the lectures delivered during the reporting period, 23 were recorded off-site.[8] The Historic Archives contains introductory notes by leading authorities, as well as procedural histories, related documents and archival audiovisual materials prepared by the Division on almost 100 legal instruments.[9] During the period in question, the Division added several translations of the introductory notes and procedural history notes and identified new instruments for inclusion in the Archives. The Research Library provides an extensive online library consisting of treaties, jurisprudence, publications, documents, scholarly writings and training materials, including the latest addition to the library, the *International Law Handbook: Collection of Instruments*, a four-volume publication of the Division.

22. Since its creation in 2008, the Audiovisual Library has been accessed by over 1.5 million users in 193 Member States and non-Member States. While it was created primarily for the benefit of lawyers in developing countries,[10] it continues to be accessed primarily by lawyers in developed countries. The limited number of users in developing countries is due to a lack of awareness of this resource and to the technology gap in terms of limited access to computers, electricity and reliable high-speed Internet. In order to improve access to lectures in the Lecture Series for users in developing countries without reliable high-speed Internet, the Codification Division has initiated the podcast project, which provides the lectures as audio that can be streamed or downloaded. The Division is aiming to make all of the lectures in the Lecture Series available as podcasts by the end of 2018.

D. International law training materials

23. The Codification Division researches, collects and prepares legal materials in hard copy, in consultation with the lecturers, for its international law training courses.[11] In addition, CD-ROMs and USB flash drives containing the training materials and legal publications of the Division and other international law materials are provided to facilitate electronic research for participants in developing countries with limited access to the Internet. The training materials are also made available on the websites of the respective training courses and on the website of the United Nations Audiovisual Library of International Law, free of charge for academic use.

24. As mentioned in paragraph 21, in 2017, the Codification Division finalized the preparation of the English edition of its publication, the *International Law Handbook: Collection of Instruments*. In addition to being used by the Division as study

[8] The 23 lectures were recorded at the seventy-seventh International Law Association Conference, held in Johannesburg, South Africa, at the United Nations Educational, Scientific and Cultural Organization, at the National University of Singapore, at the Free University of Brussels and at the George Washington University Law School. Recording facilities were provided free of charge by the aforementioned institutions.

[9] Legal materials for the Historic Archives and the Lecture Series are provided in all official languages of the Organization.

[10] The Audiovisual Library has been accessed by approximately 101,000 users in Africa, 317,000 users in Asia-Pacific and 77,000 users in Latin America and the Caribbean.

[11] In 2017, the Codification Division prepared training materials for the International Law Fellowship Programme and the United Nations Regional Courses in International Law for Africa, Asia-Pacific and Latin America and the Caribbean. It wishes to express its appreciation to the American Society of International Law, Oxford University Press, Hart Publishing and Brill for the use of scholarly writings for academic purposes as part of the training materials provided to the participants in the courses.

[12] The Codification Division is now required to purchase its legal publications and other essential United Nations publications, including the Charter of the United Nations, for use in its training courses.

material for its training courses under the Programme of Assistance, the Handbook is intended for distribution to academic institutions and government training centres in developing countries to promote the teaching and dissemination of international law around the world. It is available, free of charge, from the websites of the Programme of Assistance and the United Nations Audiovisual Library of International Law,[13] and it may be reproduced for academic purposes to further the teaching and dissemination of international law. The Handbook is intended to be used as a general work of reference. It comprises four books, as follows: Book One contains the Charter of the United Nations and the Statute of the International Court of Justice, as well as instruments relating to the law of treaties, subjects of international law, diplomatic and consular relations, international responsibility, the peaceful settlement of international disputes, international peace and security, international human rights law, as well as movement of persons and international migration law; Book Two contains instruments relating to the law of armed conflict, international criminal law, as well as disarmament and non-proliferation; Book Three contains instruments relating to the law of the sea, international environmental law and international watercourses; and Book Four contains instruments relating to international labour law, the law of cultural relations, as well as international trade and investment law. The Codification Division also continued its efforts towards the preparation of the Handbook in French and is exploring the possibility of cooperating with academic institutions for the preparation of the Handbook in other official languages of the United Nations. The preparation of the Handbook in all the official languages will depend on the availability of funds for that purpose.

E. Desktop publishing

25. In 2003, the Codification Division began using desktop publishing, on a voluntary basis and subject to available resources, to expedite the issuance of some of its legal publications and to make them available to the international legal community in a timely manner. By 2013, the Division had successfully eliminated the backlog of up to five years for several of its publications.[14] In 2014, it discontinued its desktop publishing because of a lack of resources (necessary materials and staff) following the abolition of a General Service post that year. Consequently, none of the publications listed in paragraph 41 of document A/68/521 were issued during the period from 2014 to 2016. In its resolution 71/139, the General Assembly once again expressed its appreciation for the desktop publishing initiative of the Division during the period from 2003 to 2013, which greatly enhanced the timely issuance of its legal publications, regretted that none of the publications listed in the report of the Secretary-General had been issued since 2014 and recommended that the necessary resources be made available to resume this successful initiative.[15] In 2017, the Division undertook a pilot project aimed at resuming its desktop publishing activities, resulting in the publication of *The Work of the International Law Commission* (9th edition) and the *United Nations Juridical Yearbook* (2013). Significant progress was also made on the publication of the next volume of the *Reports of International Arbitral Awards* (vol. XXXI) and of the next volume of the *Summaries of Judgments, Advisory Opinions and Orders of the*

[13] Available at http://legal.un.org/poa/publications.html and http://legal.un.org/avl/handbook.html.

[14] The backlog was eliminated for the following publications: *United Nations Juridical Yearbook*; *United Nations Legislative Series*; *Summaries of Judgments, Advisory Opinions and Orders of the International Court of Justice*; *Reports of International Arbitral Awards*; and *The Work of the International Law Commission* (vols. 1 and 2).

[15] See also General Assembly resolutions 64/113 of 16 December 2009, 65/25 of 6 December 2010, 66/97 of 9 December 2011, 67/91 of 14 December 2012, 68/110 of 16 December 2013, 69/117 of 10 December 2014 and 70/116 of 14 December 2015.

International Court of Justice (2013-2017). The Division will continue to explore ways of sustaining such efforts into the next biennium, subject to the availability of resources.

26. The Codification Division also finalized the preparation of the aforementioned four-volume *International Law Handbook* in English, using desktop publishing funded on an exceptional basis through voluntary contributions. The Division will require additional voluntary contributions in order to finalize the preparation of the Handbook in all official languages of the Organization.

F. Dissemination

27. The dissemination of legal publications and information through the Internet and other electronic media is intended to supplement the limited number of hard copies, without prejudice to the unique value of printed materials for legal research and education, in particular for lawyers in developing countries with limited access to the Internet. The materials are provided free of charge on the Internet to promote the teaching, study, dissemination and wider appreciation of international law (see annex).

G. Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea

28. Maria Emilynda Jeddahlyn Pia Benosa of the Philippines successfully completed the 2017 Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea in July 2017. Currently, there are insufficient funds for a standard award in 2018. Owing to insufficient funds, the General Assembly, in its resolution 71/257, authorized the Secretary-General, on an exceptional basis, to grant a modified award for 2017 with the available funding providing for the placement of a fellow in the Division for Ocean Affairs and Law of the Sea of the United Nations Office of Legal Affairs. The award was made for five months, without the standard placement at an institution of higher learning. The granting of an award for 2018 remains under consideration by Member States. The final cost of each fellowship depends on several highly variable factors, including the stipend rates applicable in the cities of the host institutions, currency exchange rates, airfare and the duration of the fellowship. Those factors lead to differences in fellowship costs from year to year, which can range from approximately $45,000 to $60,000, excluding the 13 per cent programme support costs and 15 per cent operational reserve (for fund balance, see para. 30).[16]

[16] The administrative assistance initially provided by the Codification Division in the 1980s and early 1990s gradually decreased following the establishment of a permanent institution within the Office of Legal Affairs, Division for Ocean Affairs and the Law of the Sea, which is entrusted with matters related to the law of the sea, including technical capacity-building, to avoid duplication of work and to ensure the proper administration of the fellowship. In recent years, the fellowship has been administered solely by the Division for Ocean Affairs and the Law of the Sea as part of its provision of technical capacity-building with respect to the law of the sea. Additional information on the Hamilton Shirley Amerasinghe Memorial Fellowship will be provided in the annual report of the Secretary-General on oceans and the law of the sea, which will be considered under the agenda item entitled "Oceans and the law of the sea".

III. Guidelines and recommendations regarding the implementation of the Programme of Assistance for the biennium 2018-2019

29. In 2018 and 2019, the Codification Division plans to carry out the activities under the Programme of Assistance in accordance with the guidelines and recommendations contained in the report of the Secretary-General (see A/71/432, sect. III) and approved by the General Assembly in its resolution 71/139.

30. Regarding the Hamilton Shirley Amerasinghe Memorial Fellowship, the current fund balance available for disbursement, taking into account programme support costs, is estimated to be approximately $38,000, which may not be sufficient to award a standard fellowship for 2018 unless additional voluntary contributions are received by November 2017.

IV. Administrative and financial implications of the Programme of Assistance

A. During 2017

31. In its resolution 71/139, the General Assembly authorized the Secretary-General to carry out, in 2017, the International Law Fellowship Programme and the United Nations Regional Courses in International Law for Africa, Asia-Pacific and Latin America and the Caribbean and to continue to develop the United Nations Audiovisual Library of International Law, to be financed from provisions in the regular budget, as well as, when necessary, from voluntary contributions.

32. Regarding the funding provided for the Programme of Assistance, a total of $2,267,000 was included in the regular budget for the biennium 2016-2017 under section 8, Legal affairs, subprogramme 3, Progressive development and codification of international law, for the International Law Fellowship Programme, the United Nations Regional Courses in International Law for Africa, Asia-Pacific and Latin America and the Caribbean, respectively, and the United Nations Audiovisual Library of International Law.

33. The General Assembly reiterated its request to Member States and interested organizations, institutions and individuals to make voluntary contributions towards the financing of the Programme of Assistance or to otherwise assist in its implementation and possible expansion. Accordingly, on 1 March 2017, a note verbale was sent to Member States to draw their attention to resolution 71/139.

34. Since the previous report, voluntary contributions have been received for the activities under the Programme of Assistance as follows: (a) from Panama ($1,500) and Qatar ($3,000); (b) for the United Nations Audiovisual Library of International Law, from China ($20,000), Czechia ($1,923), Ireland ($5,000), Italy ($5,800) and Switzerland ($19,975); (c) for the United Nations Regional Course in International Law for Africa, from China ($10,000); and (d) for the United Nations Regional Course in International Law for Asia-Pacific, from China ($10,000); (e) for the United Nations International Law Fellowship Programme from Ireland ($5,000); and (f) for the *International Law Handbook*, from Norway ($17,180).

35. Regarding the Regional Course in International Law for Africa, ECA provided a seminar room, offices, equipment and administrative assistance, as well as transportation for lecturers, participants and Codification Division staff.

36. Regarding the Regional Course in International Law for Latin America and the Caribbean, the Government of Chile provided catering for the opening ceremony, hosted a closing ceremony at the Ministry of Foreign Affairs and organized a cultural visit. ECLAC provided seminar rooms, offices, equipment and administrative and operational assistance.

37. In addition, publications (electronic and/or hard copy) were provided free of charge to the participants in the various training courses by the following entities: the Department of Public Information of the Secretariat, the Office of the United Nations High Commissioner for Human Rights, the International Criminal Court, the International Committee of the Red Cross, the University of Pretoria and the Ministry of Foreign Affairs and Trade of New Zealand. Various entities, publishers and law journals granted permission to include scholarly articles free of charge in the study materials provided to the participants in the training courses (see para. 23).

Hamilton Shirley Amerasinghe Fellowship on the Law of the Sea

38. Since the previous report, contributions to the Hamilton Shirley Amerasinghe Fellowship on the Law of the Sea have been received from the following States: Monaco ($16,290) and Sri Lanka ($10,000).

B. During the biennium 2018-2019

39. Pursuant to General Assembly resolution 71/139, resources totalling $2,259,600 have been proposed in the regular budget for the biennium 2018-2019 under section 8, Legal affairs, subprogramme 3, Progressive development and codification of international law, for the International Law Fellowship Programme, the United Nations Regional Courses in International Law for Africa, Asia-Pacific and Latin America and the Caribbean and for the continuation and further development of the United Nations Audiovisual Library of International Law.

1. International Law Fellowship Programme and United Nations Regional Courses in International Law

40. The resources included in the proposed programme budget would provide for the International Law Fellowship Programme in 2018 and 2019 and for the United Nations Regional Courses in International Law for Africa, Asia-Pacific and Latin America and the Caribbean, to be conducted in 2018 and 2019 in accordance with General Assembly resolution 71/139. The resources would provide fellowships (covering travel, accommodation, health insurance, study materials and a stipend for living expenses) for a minimum of 20 lawyers from developing countries and countries with emerging economies to attend each of the training courses. Any additional participants would receive fellowships based on voluntary contributions or would be admitted on a self-funded basis.

2. United Nations Audiovisual Library of International Law

41. The resources included in the proposed programme budget reflect the proposed conversion of two positions (one Legal Officer (P-3), one Video Editing Assistant (General Service (Other level))) that were previously funded from general temporary assistance and that are required to ensure the continuation and further development of the Lecture Series of the United Nations Audiovisual Library of International Law in 2018 and 2019.

42. The programme budget would also be used for the travel of staff to conduct off-site recordings of numerous lectures at various locations around the world. Such recordings are undertaken to promote broader geographical and linguistic

representation of the recorded lectures and to record lecturers who are unable to travel to New York.

43. In addition, the resources would be used to obtain necessary technical supplies and materials, and for the digitization of some historical audio and film recordings.

44. Extrabudgetary resources would be utilized to promote greater access to the Audiovisual Library in developing countries and to develop the historic archives of the Audiovisual Library (including staff and digitization of additional audiovisual materials).

45. The Secretary-General would continue, if the General Assembly so decides, to request voluntary and in-kind contributions to the Programme of Assistance, in particular to provide for additional fellowships for the United Nations Regional Courses in International Law, the preparation of the Handbook in additional languages and the continuation and further development of the United Nations Audiovisual Library of International Law.

V. Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law

A. Membership

46. The General Assembly, by its resolution 70/116, appointed the following 25 Member States as members of the Advisory Committee for the period from 1 January 2016 to 31 December 2019: Argentina, Canada, Chile, Cyprus, Czechia, Ethiopia, France, Germany, Ghana, Italy, Kenya, Lebanon, Malaysia, Mexico, Nigeria, Pakistan, Portugal, the Russian Federation, Singapore, Slovakia, the Sudan, Trinidad and Tobago, the United Republic of Tanzania, the United States of America and Uruguay.

B. Consideration of the report of the Secretary-General by the Advisory Committee at its fifty-second session

47. The fifty-second session of the Advisory Committee, held on 3 October 2017, was chaired by the Permanent Representative of Ghana to the United Nations, Martha Ama Akyaa Pobee.

48. The Director of the Codification Division, Huw Llewellyn, served as Acting Secretary of the Advisory Committee.

49. The following members of the Advisory Committee were present on 3 October: Argentina, Canada, Cyprus, Czechia, Ethiopia, France, Germany, Ghana, Italy, Lebanon, Malaysia, Mexico, Nigeria, Portugal, the Russian Federation, Singapore, Slovakia, the Sudan, the United States of America and Uruguay. The Netherlands and Thailand attended the meeting as observers in their capacity as host countries for the International Law Fellowship Programme and the Regional Course in International Law for Asia-Pacific, respectively.

50. The Acting Secretary of the Advisory Committee made a statement in which he updated the information contained in the draft report and drew attention to the continuing efforts to strengthen the activities under the Programme of Assistance. He emphasized that, as a result of the funding provided to the Programme under the regular budget for the biennium 2016-2017, the Codification Division had been able to organize the Regional Courses in International Law in all three regions (Africa,

Latin America and the Caribbean, and Asia-Pacific) in both years of the biennium. Moreover, the Division had been able to substantially increase the content of the United Nations Audiovisual Library of International Law, which had been accessed by a significant number of new users. In addition, the Acting Secretary drew attention to the publication of the English version of the *International Law Handbook* and the progress made in the preparation of the French version, both of which would be used for the training courses under the Programme and for distribution to academic institutions and government training centres in developing countries. He also informed the members about the ongoing work to podcast all lectures available on the Audiovisual Library of International Law so as to make them more accessible in regions of the world where high-speed Internet was unavailable or unreliable. That effort would be complete by the end of 2018.

51. The Advisory Committee commended the Codification Division for its efforts in implementing and further strengthening the activities under the Programme of Assistance and expressed its appreciation for the preparation of the *International Law Handbook*. In that regard, it was noted that the preparation of that publication depended on voluntary contributions.

Annex

Websites maintained by the Codification Division

Website	*Uniform resource locator*
United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law	www.un.org/law/programmeofassistance
International Law Fellowship Programme	www.un.org/law/ilfp
United Nations Regional Courses in International Law for Africa, Asia-Pacific and Latin America and the Caribbean	www.un.org/law/rcil
United Nations International Law Seminar for Arab States	http://legal.un.org/poa/seminar.html
United Nations Audiovisual Library of International Law	www.un.org/law/avl
United Nations legal publications portal	http://legal.un.org/cod/publications.shtml
Repertory of Practice of United Nations Organs	http://legal.un.org/repertory
United Nations Juridical Yearbook	http://legal.un.org/unjuridicalyearbook
Summaries of Judgments, Advisory Opinions and Orders of the International Court of Justice	http://legal.un.org/icjsummaries
Summaries of Judgments, Advisory Opinions and Orders of the Permanent Court of International Justice	http://legal.un.org/PCIJsummaries
Reports of International Arbitral Awards	http://legal.un.org/riaa
United Nations Legislative Series	http://legal.un.org/legislativeseries
Codification and Progressive Development of International Law	http://legal.un.org/cod
Sixth Committee of the General Assembly	www.un.org/en/ga/sixth
International Law Commission	http://legal.un.org/ilc
Diplomatic conferences (official records of proceedings)	http://legal.un.org/diplomaticconferences
Rome Statute of the International Criminal Court	www.un.org/law/icc
Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization	http://legal.un.org/committees/charter
Ad Hoc Committee on Criminal Accountability of United Nations Officials and Experts on Mission	http://legal.un.org/committees/criminal_accountability
Ad Hoc Committee on the Administration of Justice at the United Nations	http://legal.un.org/committees/admin_of_justice

Website	*Uniform resource locator*
Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996	http://legal.un.org/committees/terrorism
Ad Hoc Committee on Jurisdictional Immunities of States and Their Property	http://legal.un.org/committees/immunities
Ad Hoc Committee on an International Convention against the Reproductive Cloning of Human Beings	http://legal.un.org/committees/cloning
Ad Hoc Committee on the Scope of Legal Protection under the Convention on the Safety of United Nations and Associated Personnel	http://legal.un.org/committees/safety_convention

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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Subregional Centre for Human Rights and Democracy in Central Africa

Report of the Secretary-General*

Summary

The present report is submitted pursuant to General Assembly resolution 70/167 and outlines the work and achievements of the Subregional Centre for Human Rights and Democracy in Central Africa from 1 August 2015 to 31 July 2017. The report also describes the particular challenges facing the Centre and opportunities for further engagement in the subregion.

* The present report was submitted after the deadline in order to reflect the most recent developments.

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I. Introduction

1. The Subregional Centre for Human Rights and Democracy in Central Africa was established in 2001 at the request of the member States of the Economic Community of Central African States (ECCAS), pursuant to a resolution adopted by the United Nations Standing Advisory Committee on Security Questions in Central Africa at its fourth meeting, held in Yaoundé in April 1994, and resolutions 53/78 A and 54/55 A of the General Assembly.

2. The Centre also operates as the regional office for Central Africa of the Office of the United Nations High Commissioner for Human Rights (OHCHR), covering 10 member States of ECCAS (Burundi, Cameroon, the Central African Republic, Chad, the Congo, the Democratic Republic of the Congo, Equatorial Guinea, Gabon, Rwanda and Sao Tome and Principe). In accordance with its mandate, the Centre works for the promotion and protection of human rights and democracy through advocacy, dialogue and the provision of technical assistance and advisory services to Governments, parliaments, United Nations country teams, national human rights institutions, civil society organizations, the media and other partners.

3. The present report focuses on the activities and achievements of the Centre in Cameroon, the Congo, Equatorial Guinea, Gabon and Sao Tome and Principe. The type of field presence of OHCHR in other countries of the subregion varies, as does its reporting mandates: there is a human rights component in the peace missions in the Central African Republic and the Democratic Republic of the Congo; human rights advisers are present in Rwanda and Chad; and there is a country office in Burundi. The report does not describe the major political, peace and security developments in Central Africa, which are covered elsewhere (see S/2017/465). In addition, the human rights situation in some countries of the subregion is addressed in reports prepared by the human rights components of the peace missions, the human rights advisers and the country office.

II. Main human rights developments in the subregion

4. Two countries of the subregion, Cameroon and Chad, continued to be affected to varying degrees by the Boko Haram insurgency that has prevailed in the Lake Chad Basin area since 2013. Despite the significant progress made by the countries concerned in the fight against the insurgency, the population has continued to suffer under the attacks of Boko Haram and related counterinsurgency measures. A range of fundamental human rights and freedoms have been infringed in that context, notably the rights to life and security of the person; to freedom of expression and opinion, association, peaceful assembly and religion; and to adequate housing, food and education.

5. The Centre continued to advocate that counterterrorism measures must comply with international human rights norms. While a moratorium on the death penalty had been observed for more than two decades in Cameroon and Chad, their anti-terrorism legislation, adopted in 2014 and 2015, respectively, includes the death penalty for the perpetrators of terrorist acts. In July 2015, the suspected perpetrators of the terrorist attacks carried out in N'Djamena in June 2015 were executed following a speedy trial and before the period of time allowed for the exercise of the right to appeal had elapsed, which may have amounted to a violation of fair trial guarantees. In general, however, the trial proceedings involving suspects of terrorism remained slow in both countries.

6. During the period under review, the human rights situation in the five countries that are the focus of the present report was affected by the presidential

elections held in several countries. While elections were held in a relatively peaceful environment in the Central African Republic, Equatorial Guinea and Sao Tome and Principe, the elections held in Chad, the Congo and Gabon were marked by disputed results and post-election violence, which led to human rights violations in the last two countries. In addition, the exercise of freedom of opinion and expression, particularly for trade unions and human rights organizations, and freedom of association and peaceful assembly were hindered in the context of the electoral processes in Chad, the Congo and Gabon; for example, Internet services were interrupted and social media were blocked by the authorities during the electoral periods. In some cases, freedom of movement was restrained by measures taken by the authorities to deal with the post-election violence. While some countries expressed a commitment to improving the political participation of women and other groups that typically face discrimination in political life, no concrete measures were taken in that regard in terms of legislation or policies.

7. In the English-speaking north-west and south-west regions of Cameroon, protests by lawyers and teachers denouncing alleged marginalization and the attempted erosion of the common law system and of the education system were at times met with heavy-handed responses by security forces, including alleged serious human rights violations. Since the crisis broke out in October and November 2016, courts and many schools have remained closed in the two regions. In December 2016, the crisis degenerated and calls for protests, including cases of civil disobedience, and strikes by the Cameroon Anglophone Civil Society Consortium were largely followed by the population of the two regions. In an attempt to contain the protests, the Government banned the Consortium and all other associated groups, including those calling for secession, and cut off Internet access in the two regions for nearly three months. Some leaders of the protests were arrested and put on trial at the military court of Yaoundé under the anti-terrorism law of 2014, while others went into hiding or fled the country. Concerns about the trial of civilians by a military court have been raised by OHCHR, other United Nations system entities and special procedures of the Human Rights Council through letters and urgent appeals to the Government of Cameroon and public statements.

8. On 30 August, the President ordered the release of the detained leaders and members of the Anglophone community. In a statement issued the same day, the Secretary-General welcomed the decision, expressing the hope that this step would lead to a further lowering of tensions and the strengthening of political dialogue. He also encouraged the authorities to pursue their efforts to address the grievances of the Anglophone community and promote measures of national reconciliation to find a durable solution to the crisis. The Secretary-General reiterated the readiness of the United Nations to continue to support such efforts.

III. Activities of the Centre from 1 August 2015 to 31 July 2017

9. During the reporting period, the Centre implemented activities included in its programme for 2015 (August to December), 2016 and 2017 (January to July), in the framework of the thematic priorities of the OHCHR management plan for 2014-2017. These priorities included: widening the democratic space; human rights in development and the economic sphere; early warning and protection of human rights in situations of conflict, violence and insecurity; combating impunity and strengthening accountability and the rule of law; and strengthening the effectiveness of international human rights mechanisms and the progressive development of international human rights law and standards.

A. Widening democratic space

1. Participation of groups that face discrimination in political life

10. In Cameroon, the Congo, Gabon and Sao Tome and Principe, some progress has been achieved in efforts to increase the participation of indigenous peoples, persons with disabilities and other groups that face discrimination in political life.

11. Before the presidential elections in the Congo, Gabon and Sao Tome and Principe in 2015 and 2016, the Centre provided technical support through capacity-building and sensitization of members of electoral bodies and the election management bodies to increase the participation of persons with disabilities, indigenous people and women in political and public affairs. This contributed to the increased participation of women in the presidential elections in the Congo, Gabon and Sao Tome and Principe. Such progress was also partly attributable to the efforts made by various political parties, including the adoption of "zebra" candidate lists at a national workshop organized by the Centre in Libreville in September 2015, involving the participation of representatives of political parties, women's organizations and persons with disabilities.

12. In Cameroon, as a result of sensitization and advocacy efforts by the Centre, board members of the election management body, Elections Cameroon, resolved to revise the electoral code to include a provision for the establishment of parity between men and women in the candidate lists of political parties. As a result of advocacy by the Centre, the political parties in Cameroon committed to developing a plan of action to encourage the increased participation of women, persons with disabilities and indigenous people in the legislative and presidential elections in 2018. Elections Cameroon and its partners have also strengthened their advocacy for the adoption of a policy to provide free national identity cards to persons with disabilities to facilitate their access to voting. The Centre has continued to work with Elections Cameroon to ensure that the policy is in place before the elections to be held in 2018. The appointment of indigenous representatives to the local mixed electoral commissions is being prioritized by Elections Cameroon in response to advocacy efforts by the Centre.

2. Respect for freedom of opinion and expression

13. There was an overall improvement in the contribution of the media to the recent electoral processes in the subregion, as compared with previous elections. Throughout 2016, the Centre and the United Nations Regional Office for Central Africa (UNOCA) provided a series of training sessions for media professionals in countries where elections were due to be held. Six training sessions were thus organized in the Central African Republic, Chad, the Congo, Equatorial Guinea, Gabon and Sao Tome and Principe. The prevalence of the use of hate speech and violent language by the media has subsequently decreased, and media professionals have enhanced their role in promoting peaceful electoral processes, including by raising public awareness, prerecording or editing political programmes in order to eliminate the use of hate speech and offering an open platform for communication to all political actors. In August 2016, the Centre organized a regional workshop on elections and human rights in Douala, Cameroon, convening representatives of national human rights institutions and election management bodies in Central Africa. Participants focused on means to enhance the protection of civil and political rights in the context of elections and recommended the establishment of public-private media mechanisms in order to combat the use of hate speech.

3. Legal protection of human rights

14. In terms of new developments during the reporting period, in 2015, a constitutional reform in the Congo led to the strengthening of human rights protection and to the abolition of the death penalty. In addition, the review of decrees for implementation of laws protecting indigenous peoples, advocated by the Centre since 2013, was completed in December 2016 and was awaiting promulgation as at August 2017.

15. In Cameroon, the parliament adopted a new penal code in June 2016, which strengthens human rights standards, especially in relation to the protection of women, including with regard to access to property and the prohibition of harmful cultural practices such as widowhood rites, breast ironing and female genital mutilation. In addition, the electoral code protects the right of persons with disabilities to participate in elections, particularly through provisions for the designation of polling stations and the preparation of adequate voting material to ensure access. The Centre continued to work with the parliament to provide technical support and capacity-building to its members and staff to promote the effective involvement of marginalized groups in political processes.

B. Human rights in development and in the economic sphere

16. The Centre remained actively engaged in the area of human rights and business through advocacy and the provision of guidance to States and companies in the subregion with a view to strengthening their commitment to protecting human rights.

17. In Cameroon, for example, three companies (one private and two State-owned) are leading the way in human-rights-based business development as a result of capacity-building, field visits and sensitization efforts by the Centre. One project, initiated with the private agro-industrial company Hevea Cameroon (Hevecam) in 2014, led to the establishment of an internal complaints mechanism for workers and of dialogue structures between the company and local communities affected by its activities in the Kribi area in the south of the country. In 2015, Hevecam also adopted an internal policy to promote the implementation of the Guiding Principles on Business and Human Rights, following the training of their management staff by the Centre. Hevecam also adopted an internal declaration of human rights, which sets out a basic human rights action plan for the company.

18. Following a previous successful experience with the Electricity Development Corporation, the Centre engaged with the Cameroon Development Corporation, which is the country's second largest employer after the public service, with more than 22,000 workers across plantations in the north-west and south-west regions. To monitor the progress made by the Cameroon Development Corporation in integrating human rights, more than 30 journalists from these regions, trained by the Centre in business and human rights, visited factories and engaged in dialogue with managers. Senior managers and selected journalists subsequently attended a training-of-trainers workshop on human rights and business from 8 to 10 November 2016. Similar training sessions were held for other staff members throughout 2017 with the support of the Centre.

19. These experiences have placed the Centre in a strategic position to initiate and encourage dialogue with State-owned and private sector companies for the promotion and protection of human rights in all areas of their business operations. The experience in Cameroon is gradually being replicated by the Centre in the Congo, Equatorial Guinea and Gabon.

C. Early warning and protection of human rights in situations of conflict, violence and insecurity

20. The Centre continued to participate actively in the meetings of the United Nations Standing Advisory Committee on Security Questions in Central Africa. At the meetings held during the reporting period, in Bangui, Sao Tome and Yaoundé, the Centre drew the attention of Member States to the human rights situation in the subregion and calling for increased efforts to protect human rights. The Centre also advocated increased cooperation with the United Nations human rights mechanisms and more concerted efforts in implementing their recommendations. On these occasions, the Centre advocated, in particular, respect for and protection of human rights in electoral processes and in counterterrorism efforts, taking into account the prevailing situation in the subregion.

21. Cooperation between the Centre and UNOCA was further strengthened, including through the recruitment of a human rights adviser to the Special Representative of the Secretary-General for Central Africa, based in Libreville, which has led to a more concerted approach to human rights issues in the subregion. For example, the Centre participated in a good offices mission of UNOCA to the Congo prior to the presidential elections of 20 March 2016. Meetings were held with high-level government officials in Cameroon, the Congo, Equatorial Guinea, Gabon and Sao Tome and Principe to discuss the impact of political instability and insecurity on the enjoyment of human rights.

22. From 13 June to 25 July 2016, the Centre conducted a human rights assessment mission to the Congo following the post-election crisis and shared its findings with the Government, including recommendations to address the human rights challenges. In particular, the Centre called for the release of political detainees and other confidence-building measures to ease tensions in the Pool region. The Centre undertook a follow-up mission, from 20 June to 5 July 2017, to evaluate the implementation of its recommendations and asses: the situation, including in the Pool region. The Centre raised concerns with the Government regarding the deteriorating human rights situation, which has led to mass internal displacements and a growing number of related humanitarian concerns. This was followed up by a high-level dialogue between the Government of the Congo and the High Commissioner for Human Rights, which led to concrete follow-up agreements.

23. In Cameroon, to ensure the integration of human rights into humanitarian planning and response, the Centre contributed to the strengthening of the human rights capacities of the protection officers of several United Nations agencies operating in the Far North region, including for the identification and referral of cases of human rights violations and abuses to competent authorities. The Centre also initiated dialogue with local law enforcement officials in that region to guarantee increased protection for refugees following reported cases of harassment of refugees suspected of having links with terrorism and of the arrest and detention of refugees when they leave the camps. In September 2016 and March 2017, the Centre trained a group of civil society organizations working in the Far North region on human rights monitoring and reporting. As a result, more than 30 civil society organizations have been sharing information with the Centre on the situation of human rights in that region.

D. Combating impunity and strengthening accountability and the rule of law

24. As mentioned above, the anti-terrorism laws adopted in Cameroon and Chad in 2014 and 2015, respectively, impose the death penalty for persons convicted on charges of terrorism despite the observation of a moratorium for more than 20 years. Moreover, in both countries, the wide scope of the law infringes on the protection of fundamental freedoms. The Centre has therefore been advocating the repeal of these laws. In Cameroon, the Centre continued to advocate in favour of due process of law and the right to a fair trial for persons charged with terrorism.

25. The Centre strengthened the capacities of 30 officers of the gendarmerie, the police and the rapid intervention brigade based in the Far North region regarding their role and responsibility in protecting human rights while countering terrorism. A positive outcome of this training was a request from the participants for a discussion forum to be organized with civil society actors and protection officers of United Nations and other humanitarian organizations on challenges faced in the field and how mutual support could be provided to ensure that the fight against terrorism does not undermine human rights.

E. Strengthening the effectiveness of international human rights mechanisms and the progressive development of international human rights law and standards

1. Ratification of international and regional human rights instruments

26. Permanent dialogue with authorities in the subregion has been critical to promoting the ratification of international instruments. For example, in Equatorial Guinea and Sao Tome and Principe, the authorities acknowledged the importance of the work of the Centre in raising awareness, especially among parliamentarians, on the ratification of international human rights instruments and reporting on implementation.

27. In Sao Tome and Principe, following sustained advocacy by the Centre, with the support of the United Nations country team, the Government ratified nearly all of the international human rights instruments. In November 2016, it deposited the instruments of ratification for the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention on the Elimination of All Forms of Racial Discrimination; and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The country also ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

28. In Equatorial Guinea, the Third Deputy Prime Minister, who is responsible for human rights, declared the Government's commitment to promoting human rights at the opening ceremony of a capacity-building workshop for civil society organizations and staff of the national human rights directorate. To help the country to improve its engagement with United Nations human rights mechanisms, a compilation of the recommendations of the human rights mechanisms and the status of ratification of human rights instruments was prepared with the support of the United Nations Development Programme (UNDP) and the Centre. In general, in the countries covered, the Centre strengthened the capacities of representatives of Governments, institutions and civil society organizations on the new methodology

for drafting reports to treaty bodies and follow-up to the implementation of recommendations of human rights mechanisms. This led to the compilation by Governments, with support from the Centre and the United Nations country team, of all recommendations emanating from treaty bodies, the universal periodic review and special procedures and to the development of a national plan of action for the implementation of those recommendations.

29. Moreover, continued efforts by the Centre have led to a gradual increase in the number of regional instruments ratified by the States of the subregion.

2. Reporting to human rights mechanisms and follow-up to recommendations

30. There has been progress in several countries of the subregion with regard to reporting to human rights mechanisms. In the Congo, Equatorial Guinea, Gabon and Sao Tome and Principe, members of the interministerial committees on human rights, parliaments, national human rights institutions and non-governmental organizations are increasingly aware of the status of ratification of international human rights instruments and related reporting obligations. In those countries, the Centre trained members of the national committees responsible for reporting to strengthen their capacity to draft reports and ensure follow-up to the implementation of recommendations of human rights mechanisms.

31. With technical support from the Centre, Cameroon and Equatorial Guinea have made significant progress in reporting to the Committee on Economic, Social and Cultural Rights and the Committee on the Rights of the Child. The forthcoming fourth periodic report of Cameroon to the Committee on Economic, Social and Cultural Rights was finalized in October 2016 and validated by an interministerial committee on reporting at a workshop held in March 2017, organized with support from the Centre. In Equatorial Guinea, members of the national committee on the rights of the child boosted their reporting capacity as a result of training provided jointly by the Centre and the United Nations Children's Fund (UNICEF) in July 2016.

32. With the support of the Centre, Gabon has prepared periodic reports for submission to the Committee against Torture. However, the establishment of a national mechanism for the prevention of torture, as recommended by the Committee against Torture and advocated by the Centre, has been delayed owing to the post-election crisis and ensuing national dialogue.

33. With technical and financial support from the Centre and the United Nations Population Fund (UNFPA), the Government of Sao Tome and Principe drafted its initial report on the Convention on the Elimination of All Forms of Discrimination against Women, which it submitted in 2017.

34. The Centre notes that Governments in the subregion have been more active in implementing recommendations of the United Nations human rights mechanisms. In particular, with the support of the Centre, the Governments of Cameroon, the Congo, Equatorial Guinea, Gabon and Sao Tome and Principe have prepared compilations of the recommendations of treaty bodies, the universal periodic review and special procedures. Cameroon, the Congo and Equatorial Guinea have also been developing national plans of action to implement those recommendations. French-speaking countries of the subregion and Madagascar[1] created a network of members of interministerial committees to strengthen cooperation with the United Nations human rights mechanisms following a regional training session organized by the Centre in Douala in September 2016.

[1] Also covered under the capacity-building on the treaty bodies provided by the Centre.

3. Role of other actors in reporting processes

35. Following the capacity-building efforts undertaken by the Centre, civil society organizations in Cameroon have become increasingly aware of international human rights mechanisms and their functioning and have been effectively involved in preparing and submitting shadow reports. Since 2015, shadow reports have been prepared and submitted by several civil society platforms in Cameroon, including a platform on economic, social and cultural rights and a platform on the rights of the child, known as the Cameroon Child Rights Network. The Centre has also developed its cooperation with the national human rights institution, including strengthening its capacity to contribute to State reports. Some of the members of the platforms are also members of the interministerial committee for reporting to the Committee on the Rights of the Child, led by the Ministry of Women's Empowerment and the Family, which received regular technical assistance from the Centre. Civil society organizations focusing on areas of Cameroon affected by terrorism have also increasingly referred to international human rights instruments in their monitoring of human rights violations. They have been providing information on human rights to authorities and national human rights structures.

36. Similarly, in Equatorial Guinea, the awareness of civil society organizations of human rights mechanisms has grown following training sessions organized by the Centre. These organizations are now less cautious than before in their interactions with external organizations and funders and have started to relay information on some of the human rights challenges that the country is facing. In addition, they have made suggestions on how civil society organizations can be supported to assist in implementing the recommendations of the United Nations human rights mechanisms.

4. Cooperation with special procedures

37. Since January 2015, no special procedures mandate holder has visited Cameroon, the Congo, Equatorial Guinea, Gabon or Sao Tome and Principe. In the case of Cameroon, the requests sent by the Working Group on Arbitrary Detention and the Special Rapporteur on the independence of judges and lawyers went unanswered. However, the Government of Cameroon accepted the request for a visit by the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material, and sent an invitation to the Special Rapporteur on the rights of indigenous peoples. These visits have not yet been conducted. Regarding Gabon, the request sent by the Special Rapporteur on the sale and sexual exploitation of children has not yet been answered. In addition, the requests by the Special Rapporteur on the independence of judges and lawyers to visit Equatorial Guinea and Sao Tome and Principe are still pending. As part of its advocacy efforts, the Centre has consistently encouraged the Governments in the subregion to accept visits of special procedures mandate holders.

5. Cooperation with Member States

38. The Centre organizes regular information sessions for diplomatic representatives to inform them of the activities of the Centre. These representatives have expressed appreciation for the efforts of the Centre to support Governments in improving their human rights records and have called upon the Centre to increase such assistance, including by liaising with subregional organizations to develop a joint advocacy strategy for appropriate measures, for instance to ease post-election tensions in the Congo and Gabon.

IV. Challenges

39. The increased insecurity in the subregion, particularly in the Lake Chad Basin, and the political instability in Gabon and the Congo have had a significant impact on the ability of the Centre to implement its activities in those countries. The workload of the Centre has increased as it has had to carry out unplanned activities in response to those situations. Certain requests by Governments and civil society in those countries could not be handled by the Centre owing to the post-election security situation. There has also been growing demand for capacity-building activities in support of Governments and national human rights institutions. In general, those institutions remain weak, thus requiring the continuous provision of technical support.

V. Lessons learned

40. The technical support provided and the practical approaches used by the Centre produced results during the reporting period. Several countries reacted positively to initiatives aimed at harmonizing national legislation and policies with international human rights standards and principles and strengthening institutions.

41. Cooperation with United Nations country teams and subregional organizations, notably ECCAS and the International Conference on the Great Lakes Region, has raised the profile of the Centre and facilitated its work in the subregion. Moreover, consistent results have been achieved through the implementation of joint activities, including consistent follow-up, with UNDP, UNOCA and the human rights components of the peace missions. Cooperation with UNDP, UNFPA, UNICEF and the United Nations Office on Drugs and Crime, for example, helped to limit the duplication of efforts and proved rewarding in terms of the impact of the work. Joint advocacy and activities with the regional office for Central Africa and resident coordinators in the Congo, Equatorial Guinea, Gabon and Sao Tome and Principe have led to increased cooperation between these countries and United Nations human rights mechanisms.

42. As a result of the efforts made over the years by the Centre to build the capacity of media professionals and to develop a pool of human rights journalists in the subregion, the media have contributed significantly to the success of the work of the Centre by providing improved sensitization and awareness on human rights issues. Continuous engagement with the media remains a strategic element of the Centre's efforts aimed at promoting human rights and democracy in the subregion. In 2016, more than 184 articles were published in the written and online press on activities for the promotion of human rights and democracy organized by the Centre in the subregion, in addition to several dozen television and radio reports.

VI. Conclusion and recommendations

43. **The human rights and security situation has deteriorated in the subregion owing to several factors, including the continued activities of Boko Haram and related security responses. Recent political crises in the subregion and their negative impact on the enjoyment of human rights also underscored the need for increased activities for the protection and promotion of human rights. The Centre conducted assessments in Cameroon and the Congo with a view to providing relevant United Nations entities with information on the human rights situation in those countries.**

44. **The Centre currently operates with a very limited number of staff, including a regional representative and director, a regional adviser on democracy, two human rights officers, one national programme officer, one communications and advocacy associate, two programme assistants and five support staff. The Centre benefits from a very popular fellowship programme, initiated in 2002, for young professionals from the subregion. The programme includes fellowships in human rights, democracy, gender and women's human rights, as well as documentation relating to those fields.**

45. **Cooperation with Governments in specific areas has remained difficult, notably on the protection of the human rights of vulnerable groups, cooperation with special procedures and strengthening of national human rights institutions. Despite persistent advocacy by the Centre, the Congo, Equatorial Guinea and Gabon have not yet taken measures to strengthen their national human rights institutions with a view to ensuring their compliance with the Paris Principles.**

46. **The Centre is facing increased demand to assess the human rights situation in the countries of the subregion and provide technical assistance, including to strengthen the capacity of Governments and national human rights institutions in the region and support the work of the United Nations, regional organizations and civil society. Meeting that demand, however, will require additional human and financial resources from Member States, and I appeal to Member States of the region, in particular, to consider increasing their contributions to the Centre.**

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General Assembly

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Seventy-second session
Agenda item 140

Scale of assessments for the apportionment of the expenses of the United Nations

Report of the Fifth Committee

Rapporteur: Mr. Felipe **García Landa** (Mexico)

I. Introduction

1. At its 2nd plenary meeting, on 15 September 2017, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventy-second session the item entitled "Scale of assessments for the apportionment of the expenses of the United Nations" and to allocate it to the Fifth Committee.

2. The Fifth Committee considered the item at its 1st and 3rd meetings, on 5 and 6 October 2017. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records.[1]

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Committee on Contributions on its seventy-seventh session (A/72/11);

(b) Report of the Secretary-General on multi-year payment plans (A/72/71).

II. Consideration of draft resolution A/C.5/72/L.2

4. At its 3rd meeting, on 6 October, the Committee had before it a draft resolution entitled "Scale of assessments for the apportionment of the expenses of the United Nations: requests under Article 19 of the Charter" (A/C.5/72/L.2), submitted by the Chair of the Committee on the basis of informal consultations coordinated by the representative of Latvia and Vice-Chair of the Committee.

5. At the same meeting, the Committee adopted draft resolution A/C.5/72/L.2 without a vote (see para. 6).

[1] A/C.5/72/SR.1 and A/C.5/72/SR.3.

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III. Recommendation of the Fifth Committee

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Scale of assessments for the apportionment of the expenses of the United Nations: requests under Article 19 of the Charter

The General Assembly,

Having considered chapter V of the report of the Committee on Contributions on its seventy-seventh session,[1]

Reaffirming the obligation of Member States under Article 17 of the Charter of the United Nations to bear the expenses of the Organization as apportioned by the General Assembly,

1. *Reaffirms* its role in accordance with the provisions of Article 19 of the Charter of the United Nations and the advisory role of the Committee on Contributions in accordance with rule 160 of the rules of procedure of the General Assembly;

2. *Also reaffirms* its resolution 54/237 C of 23 December 1999;

3. *Requests* the Secretary-General to continue to bring to the attention of Member States the deadline specified in resolution 54/237 C, including through an early announcement in the *Journal of the United Nations* and through direct communication;

4. *Urges* all Member States requesting exemption under Article 19 of the Charter to submit as much information as possible in support of their requests and to consider submitting such information in advance of the deadline specified in resolution 54/237 C so as to enable the collation of any additional detailed information that may be necessary;

5. *Agrees* that the failure of the Comoros, Guinea-Bissau, Sao Tome and Principe and Somalia to pay the full minimum amount necessary to avoid the application of Article 19 of the Charter was due to conditions beyond their control;

6. *Decides* that the Comoros, Guinea-Bissau, Sao Tome and Principe and Somalia shall be permitted to vote in the General Assembly until the end of its seventy-second session.

[1] *Official Records of the General Assembly, Seventy-second Session, Supplement No. 11* (A/72/11).

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Seventy-second session
Agenda item 8
General debate

Letter dated 2 October 2017 from the Permanent Representative of Turkey to the United Nations addressed to the President of the General Assembly

I am writing to you concerning the statements made by the representatives of Armenia and the Syrian regime during the general debate of the seventy-second session of the General Assembly, on 19 and 23 September 2017, respectively.

Concerning the statement made by the President of Armenia, Serzh Sargsyan, I would like to underline, first and foremost, that "genocide" is a legal term defining a specific crime under international law. Therefore, no matter how tragic the events might be, this term can only be applied to acts labelled as such, solely by a competent court. As far as the events of 1915 are concerned, there is no such judgment. There is no scholarly consensus either on the 1915 events. Political motions or statements adopted by a limited number of parliaments, which are of a non-binding and subjective character, do not change the true nature of what really happened in 1915.

Having made that clear, we once again reiterate that what we want is a just memory of the past, to honour the memories of all those who passed away during World War I, which included millions of Ottoman Muslims. This is exactly why the President of Turkey, Recep Tayyip Erdoğan, made a proposal to form a joint historical commission to reveal the truth, back in 2005, which, although left unanswered so far, is still on the table.

Turkey's quest to normalize its relations with Armenia is part of its broader vision, which foresees cooperative and mutually beneficial relations among all the countries of the Caucasus. The signing of protocols in Zurich in 2009 was the culmination of Turkey's sincerity towards normalizing its relations with Armenia. Turkey maintains its willingness to normalize its relations with Armenia and hence, the protocols still remain on the agenda of the Turkish Parliament. Unfortunately, we do not see a similar constructive approach from the Armenian side.

Bearing in mind that, in February 2015, the President of Armenia, Serzh Sargsyan, himself recalled the protocols from the Armenian Parliament, his remarks at the general debate regarding the protocols are self-contradictory and inconsistent.

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We maintain our hope that the Armenian leadership will soon comprehend the realities of the region and take constructive steps to engage in meaningful dialogue with its neighbours and put an end to its self-isolating policies.

As to the statement delivered by the representative of the Syrian regime, which lost its legitimacy a long time ago, we reject it in its entirety. Turkey's position on Syria, with political, security and humanitarian aspects, was shared on the first day of the general debate with the membership of the United Nations at the highest political level.

I should be grateful if the present letter could be circulated as a document of the General Assembly, under agenda item 8.

(*Signed*) Feridun H. **Sinirlioğlu**
Permanent Representative